



W.P.(MD)No.1738 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.1738 of 2024

and

W.M.P(MD)Nos.1773 to 1775 of 2024

M.Arulanandham

... Petitioner

Vs.

1.The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Chennai.

2.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Ellis Nagar, Madurai.

3.The Assistant Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Ellis Nagar, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for
issuance of Writ of Certiorarified Mandamus, calling for the records of the third



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respondent herein in செ.மு.ந.க.எண்.3075/2023/இ3, dated 04.12.2023 as illegal, null and void and quash the same and direct the respondents to appoint the petitioner as Trustee of Arulmigu Ekanathar Temple, Kinnimangalam, Madurai District.

For Petitioner : Mr.S.Manohar

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

The present Writ Petition is filed challenging the order passed by the third respondent dated 04.12.2023, insofar as it results in cancelling the appointment of the petitioner as a trustee of Arulmigu Ekanathar Temple and directing the respondents to appoint the petitioner as Trustee of Arulmigu Ekanathar Temple, Kinnimangalam, Madurai District.

2. The learned counsel for the petitioner would submit that earlier, a writ petition was filed in W.P(MD)No.19286 of 2023 to appoint a Special Officer for conducting and supervising the festivals of 10 temples in Kinnimangalam Village, by considering the petitioner's representation, dated 03.07.2023. In the said writ petition, this Court vide order, dated 04.09.2023, cancelled the



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appointment of trustees in all the 10 temples. It is submitted that unlike other temples, the petitioner is a hereditary trustee and the above order has been passed without hearing the petitioner. Aggrieved by the same, the petitioner herein has filed writ appeal in W.A(MD)No.1152 of 2024. In the meanwhile, the petitioner has also filed the present writ petition. The Division Bench of this Court disposed of the writ appeal vide order, dated 15.07.2024, after observing that with regard to Ekanathar temple, the appellant filed a writ petition in W.P. (MD)No.1738 of 2024 i.e. present writ petition and he can workout his remedy in the said writ petition.

3. Now, the learned counsel for the petitioner would submit that the petitioner is continuing as a hereditary trustee of the subject temple and also filed an application before the Joint Commissioner in O.A.No.5 of 2024 for recognizing him as a hereditary trustee, which is stated to be pending.

4. The learned Additional Government Pleader for the respondents would submit that the application in O.A.No.5 of 2024 would be disposed of within a period of four months from the date of receipt of a copy of this order. He would also submit that there is no dispute that the petitioner is presently discharging



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his functions as a hereditary trustee, which would continue until the disposal of the said application.

5. Recording the same, the impugned order passed by the third respondent, dated 04.12.2023, insofar as the petitioner's temple/petitioner is concerned, is set aside.

6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

24.10.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
SN

To:

- 1.The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Chennai.
- 2.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,

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Ellis Nagar, Madurai.

3. The Assistant Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Ellis Nagar, Madurai.

MOHAMMED SHAFFIQ, J.

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