



W.P(MD)No.1445 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.1445 of 2023

and

W.M.P.(MD)No.1326 of 2023

Sree Sooravalli Subbaier Charities,
Rep. by its Hereditary Trustee,
M.S.Sankaran @ M.S.Sankar.

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Madurai.
- 3.Arulmigu Meenkashi Sundareswarar Temple,
Rep. by its Executive Officer / Joint Commissioner,
Madurai.
- 4.The Executive Officer,
Sree Koodal Alagar Perumal Temple,
Madurai City – 625 001.



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5.Arulmigu Subramaniaswamy Temple,
Tirupparankundam, Madurai,

Through its Deputy Commissioner /

Executive Officer.

... Respondents

*(R5 is impleaded vide order dated 18.12.2023 in
W.M.P.(MD)No.25989 of 2023 in W.P.(MD)No.
1445 of 2023 by GRSJ).*

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents herein from in any way interfering with the performance of various charities by the petitioner herein and enjoyment of the properties of Sree Soorvalli Subbier Trust measuring about 0.2078 Hectares (approximately 49.4 cents) situate at Ward 16, Block 36, T.S.No.41, Tallakulam Village, Madurai North Taluk, Madurai District as per the scheme decree dated 06.09.1934 passed in O.S.No.32/1932 on the file of Additional Subordinate Court, Madurai without following due process of law and consequently direct the respondent herein to remove the notice board placed in front of the aforesaid property belong to Sree Sooravalli Subbier Trust.

For Petitioner : Mr.T.V.Ramanujam, Senior Counsel,
For Mr.N.C.Ashok Kumarn.

For Respondents : Mr.T.Villavankotahi,
Addl. Government Pleader for R1 & R2.
Mr.VR.Shanmuganathan for R3.
Mr.S.Manoharan for R4 & R5.



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ORDER

WEB COPY Heard both sides.

2.The petitioner herein filed W.P.(MD)No.8643 of 2023 seeking the relief of declaration that the disciplinary proceedings initiated against M.S.Sanakarn @ M.S.Sankar by the Joint Commissioner, Hindu Religious and Charitable Endowment Department, Madurai should be declared as without jurisdiction. The said writ petition was allowed by me on 21.06.2024. The petitioner had also challenged the order dated 19.04.2023 passed by the Executive Officer of Madurai seeking permission to perform mandagapadi. The said writ petition was also allowed by me. For the same reasons, the writ of mandamus as sought for by the petitioner is granted and the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

21.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

ias

To:-

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Madurai.

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