

WP(MD)No.3063 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.09.2024

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THE HONOURABLE **MR.JUSTICE MOHAMMED SHAFFIQ**

W.P.(MD)No.3063 of 2024

and

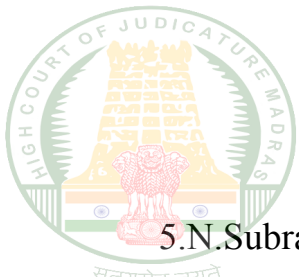
W.M.P.(MD)No.3043 of 2024

- 1.N.Sugumaran
- 2.Pothum Pen
- 3.Mohanasundaram

... Petitioners

/Vs./

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai.
- 3.Thakkar / Assistant Commissioner,
A/m.Maranadu Karuppanasamy Thirukoil,
Maranadu Village, Manamadurai Taluk,
Sivagangai District,
Cum Assistant Commissioner,
A/m.Adaikalam Katha Iyyanar Temple and Bathirakaliamman Temple,
Madapuram,
Sivagangai District.
- 4.The Inspector,
Hindu Religious and Charitable Endowments Department,
Manamadurai, Sivagangai District.



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5.N.Subramaniyan

6.R.Kaleeswari

7.M.Chellapandi

... Respondents

(R5 & R6 and R7 are impleaded vide order of this Court dated 28.08.2024 in WMP(MD)Nos.3625 of 2024 and WMP(MD)Nos.3659 of 2024 respectively.)

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to appoint the petitioners herein as non-hereditary trustees of A/m. Maranadu Karuppanasamy Thirukoil, Maranadu Village, Manamadurai Taluk, Sivagangai District pursuant to the notification in Na.Ka. No.1769/2023/A1 dated 23.05.2023 of the 1st respondent and dated 21.11.2023.

For Petitioners : Mr.V.R.Shanmuganathan

For Respondents : Mr.K.S.Selvaganesan (R1, R2 & R4)

Additional Government Pleader

Mr.R.Udhayakumar (R5 & R6)

Mr.B.Anandan (R7)

ORDER

This writ petition has been filed for issuance of writ of mandamus, directing the 1st respondent to appoint the petitioners herein as non-hereditary trustees of A/m. Maranadu Karuppanasamy Thirukoil, Maranadu Village, Manamadurai Taluk, Sivagangai District pursuant to the notification in Na.Ka. No.1769/2023/A1 dated 23.05.2023 of the 1st respondent dated 21.11.2023.



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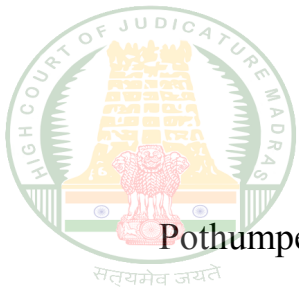
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2. Heard the learned counsel on either side.

3. According to the petitioners, the Arulmigu Maranadu Karuppanasamy Thirukoil, Maranadu Village, Manamadurai Taluk, Sivagangai District, is a public temple and it is administered by the third respondent Thakkar, as on date. The said temple is listed under Section 46(i) of the Hindu religious and Charitable Endowments Act, 1959. The petitioners are devotees of the said temple and they have also contributed to the temple's thirupani.

4. The case of the petitioners is that the first respondent had invited applications for appointment of non-hereditary trustees to the said temple vide notification in Na.Ka. No.1769/2023/A1 dated 23.05.2023. In response to which, the petitioners herein and two others, viz., Pandi and Thivya had applied. There was no progress thereafter. While so, the first respondent issued another notification on 21.11.2023, in response to which, eight persons including the petitioners herein applied.

5. It is submitted by the learned counsel appearing for the petitioners that out of the eight applicants, only four persons were eligible, namely, Sugumaran,



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Pothumpen, Mohanasundaram and Chellapandi and the remaining persons,

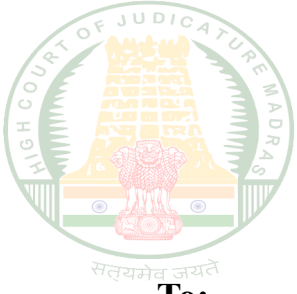
namely, Pandi, Thivya, Pushbavanam and Subramani are ineligible. The petitioner seeks a direction to appoint the petitioners as non-hereditary trustees in the aforesaid temple.

6. The learned Additional Government Pleader appearing for the official respondents submitted that all the eight applications will be considered on merits and in accordance with law by the first respondent. Based on the eligibility, the appointments as non-hereditary trustees will be made within a period of four weeks, after following the due procedure contemplated under the Hindu religious and Charitable Endowments Act, 1959.

7. Recording the aforesaid submission of the learned Additional Government Pleader appearing for the official respondents, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

09.09.2024
(2/2)

NCC :Yes/No
Index :Yes/No
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- 2.The Assistant Commissioner,
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- 3.The Inspector,
Hindu Religious and Charitable Endowments Department,
Manamadurai, Sivagangai District.



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MOHAMMED SHAFFIQ, J.

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Order made in
W.P.(MD)No.3063 of 2024
(2/2)

Dated:
09.09.2024