



W.P.(MD) No.3149 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD) No.3149 of 2023

and

W.M.P(MD) Nos.2923 and 2924 of 2023

Arulmigu Durgai Amman Temple,
Rep by it's Manager,
M.Balamurugan,
No.75(1), Muslim Street,
Thiruvedagam,
Vadipatti Taluk,
Madurai District.

... Petitioner

Vs.

1.The Commissioner H.R &C.E
Uthamar Ganthi Road,
Nungambakkam,
Chennai-600 034.

2.The Joint Commissioner H.R. &C.E,
TNHB Colony,
Ellis Nagar,
Madurai-625016.

3.The Asst Commissioner H.R &C.E,
TNHB Colony,
Ellis Nagar,
Madurai-625016.

... Respondents



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Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, to call for the entire records relating to the impugned notice of the third respondent bearing Na.Ka.No.2630/2021-52/E3, dated 27.01.2023 and quash the same as illegal without jurisdiction.

For Petitioner : Mr.S.Siva Ilayaraja

For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

The petitioner claims to be the Manager of Arulmigu Durgai Amman Temple, Madurai, has filed this writ petition as against the notification issued by the third respondent on 27.01.2023 inviting application for appointment of non-hereditary trustee of the said temple.

2. The learned counsel for the petitioner submits that this temple is a denomination temple which belongs to the Mudaliyar Community and it is maintained by the petitioner's family for a long period. According to him, the Kumbabishekam of the said temple was also conducted by the petitioner and his family members. Without any notice and without



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providing any opportunity, all of a sudden, the impugned notice was issued by the third respondent inviting applications for appointment of non-hereditary trustees.

3. Though the petitioner has claimed that it is a denomination temple and his family administered the temple, he has not placed any document to that effect. In the event, if the petitioner claims that the temple is a private temple or denomination temple, the petitioner can approach the appropriate authority and obtain an order to that effect. Without any order, this Court is not inclined to accept the contention of the petitioner. Therefore, this Writ Petition is closed with liberty to the petitioner to workout his remedy before the appropriate authority by filing necessary application. No costs. Consequently, connected miscellaneous petitions are closed.

27.03.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
cp



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B.PUGALENDHI,J

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