



W.P(MD)No.5523 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.5523 of 2024

and

W.M.P(MD)No.5253 of 2024

Sri Muthumariyaman Thirukovil
Paripalana Sabai,
Represented by its President,
Arumuga Thevar,
Sri Muthumariyamman Thirukovil
Paripalana Sabai,
Melasenthanenthal Village,
R.S.Mangalam Taluk,
Ramanathapuram.

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram.
- 2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai.
- 3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,



W.P(MD)No.5523 of 2024

Ramanthapuram.

WEB COPY

5.The Fit Person / Executive Officer,
Sri Muthumariyamman Thirukovil,
Melasenthanenthal Village,
R.S.Mangalam Taluk,
Ramanathapuram.

6.Usha

7.Kalidass

8.Gandhi

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the entire record relating to the proceeding of the fourth respondent in Se.Mu.Na.ta.Na.Ka.No.3680-70/2018/A7, dated 21.06.2023 and quash the same as illegal and pass such other order this Court.

For Petitioner : M/s.J.Madhu

For R-1 to R-4 : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

It is submitted by the learned Counsel for the petitioner that he may be permitted to withdraw the writ petition with liberty to move an application under Section 63 of the Hindu Religious and Charitable Endowment Act before the Joint Commissioner for declaration of the Temple as a Private Temple and also to declare them as hereditary trustee and he has also made an endorsement to that effect.



W.P(MD)No.5523 of 2024

WEB COPY

2. Recording the same, liberty is granted to the petitioner to approach the Joint Commissioner by filing an application under Section 63 of HR and CE Act to declare the Temple as a Private Temple and also the petitioner as hereditary trustee. If such an application is made (*)on or before 30.10.2024, the same would be taken on file and after issuance of notice to the interested parties and affording reasonable opportunity of hearing to the petitioner and all other interested parties / stakeholders, appropriate orders shall be passed by the Joint Commissioner in accordance with law.

3. Accordingly, the writ petition stands dismissed as withdrawn. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

Sd/-

Assistant Registrar(AE)

(*)Corrected as per order of this Court dated 04.10.2024 made in WP(MD)No. 5523 of 2024 and WMP(MD)No.5253 of 2024.

// True Copy //

07/10/2024

Sub Assistant Registrar
(CS - I, II, III, IV)

dixit

To

1. The District Collector,

<https://www.mhc.tn.gov.in/judis>



W.P(MD)No.5523 of 2024

Ramanathapuram.

WEB COPY

2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai.

3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.

4.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Ramanthapuram.

5.The Fit Person / Executive Officer,
Sri Muthumariyamman Thirukovil,
Melasenthanenthal Village,
R.S.Mangalam Taluk,
Ramanathapuram.

+1 CC to M/s.J.MADHU, Advocate (SR-47533[F] dated 30/08/2024)

+1 CC to M/s.SPL.GP (SR-48174[F] dated 02/09/2024)

W.P(MD)No.5523 of 2024
30.08.2024

SL(07.10.2024)/ 4P/ 8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.