



W.P(MD)No.7365 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.7365 of 2024

Sivalingaraja.R

... Petitioner

Vs

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Sivagangai,
Sivagangai District.

2. Arulmigu Seruvalinga Ayyanar Temple,
Represented by its Hereditary Trustees,
Easanoor Village,
Sivagangai Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to appoint the petitioner herein as hereditary trustee of the 2nd respondent temple namely Arulmigu Seruvalinga Ayyanar Temple, situated at Easanoor Village, Sivagangai Taluk, Sivagangai District, representing Rama Kone branch, by considering this representation 09.12.2022 within the time frame fixed by this Court.



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For Petitioner : Mr.R.Sivalingaraja.
For Respondents : Mr.P.Subba Raj
Special Government Pleader

ORDER

The petitioner is a graduate studied upto M.A., M.Phil (Tamil) and working as a Journalist. He has approached this Court, seeking Mandamus to appoint him as a hereditary trustee of Arulmigu Seruvalinga Ayyanar Temple Easanoor Village, Sivagangai Taluk, Sivagangai District by considering his application, dated 09.12.2022.

2. According to the petitioner, this temple was established by his forefathers and his grand father one Rama Kone was declared as hereditary trustee of the temple in O.A.No.84 of 1977, under Section 63(b) of the HR & CE Act, 1959 on 08.05.1978. As per the above order, whenever a vacancy arises in the office of trusteeship, next in line will apply to the respondent and get orders. Now, four persons have been appointed as hereditary trustees representing the other branches and this petitioner is representing



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Rama Kone, who passed away on 24.06.2016. Therefore, the petitioner has got consent deed from other family members of Rama Kone and submitted his application on 15.02.2018 to appoint him as a hereditary trustee of the temple. Since the respondents have not passed any orders, he filed this writ petition before this Court in WP(MD No.14002 of 2022 and this Court, by order dated 01.07.2022, directed the petitioner to submit a fresh application and also directed the first respondent to pass appropriate orders. Accordingly, this petitioner has also submitted another application on 09.12.2022. However, the same has not yet been considered and decided. Therefore, the petitioner has once again approached this Court by way of this writ petition.

3.Mr.Subbaraj, learned Special Government Pleader appearing for the respondents submits that the enquiry is in process and orders would be passed within a period of two months.



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4.Recording the submission made by the learned Special

Government Pleader, this writ petition is disposed of with a direction to the respondents to conclude the enquiry and pass suitable orders within a period of eight weeks from the date of receipt of a copy of this order. No costs.

25.03.2024

NCC: Yes/No

Index:Yes

Internet:Yes

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To

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Sivagangai District.

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B.PUGALENDHI, J.

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Order made in
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