



WP(MD)No.9904 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 27.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP (MD) No.9904 of 2023

and

WMP (MD) Nos.8728 and 8730 of 2023

P.Kannan

... Petitioner

Vs

- 1.The Commissioner,
Hindu Religious and Endowments Board,
Chennai- 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Endowments Department,
Dindigul.
- 3.The Assistant Commissioner,
Office of the Assistant Commissioner,
Hindu Religious and Endowments Department,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for the records relating to the impugned notice issued by the 3rd respondent in his proceedings in Na.Ka.No.771/2023-382/A2 dated 23.02.2023 and quash the same as illegal and arbitrary.



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For Petitioner : Mr.Sevugaraja,
For Respondents : Mr.P.Subbaraj,
Special Govt Pleader

ORDER

The notification issued by the 3rd respondent / the Assistant Commissioner inviting application for appointment of hereditary trustee for Nachiyar Amman and Madurai Veeran Temple is challenged herein.

2.The case of the petitioner is that the temple lies on the patta land and it is under the administration of the petitioner. This temple is a private temple and the HR and CE Department is not having any right to interfere with the affairs of the temple situated in the patta land.

3.The learned Special Government Pleader submits that the petitioner has not approached this Court with clean hands. The petitioner has applied for trusteeship based on the notification and therefore, he is not having any locus to challenge this



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notification inviting the applications. He further submits that the land was originally in the name of the temple before the UDR. However patta was transferred in the name of one Veerasami Chettiyar during the UDR survey. The temple administration has also taken necessary steps to correct this mistake occurred during UDR. He also pointed out that the department has already appointed the Executive Officer of Arulmighu Gopinatha Swamy Thirukovil as a Fit Person to the temple by proceedings in Na.Ka.No.15551/86 A3, dated 29.05.1987. The then Trustee has not raised any objection for the same. The temple is administrated by the HR and CE Department and the temple is assigned with ITMS No. 34579.

4.This Court considered the rival submissions made.

5.What is challenged in this writ petition is a notification inviting applications for appointment of hereditary trustees. It appears that this petitioner



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has also submitted the application and therefore, this Court is not inclined to entertain this writ petition. It is reported that patta has been in the name of temple before UDR and the temple is also taking steps to restore the patta by filing necessary applications.

6.In view of the above, this writ petition is dismissed with liberty to the petitioner to work out his remedy in the manner known to law. Consequently connected miscellaneous petitions are closed.

27.03.2024

Index: Yes / No
To

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B.PUGALENDHI , J .

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