



W.P.(MD) No.12750 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No.12750 of 2024
and
W.M.P.(MD) No.11350 of 2024**

Arumuga Velar

... Petitioner

/vs./

- 1.The Joint Commissioner,
Hindu Religious Charitable and Endowments Department,
No.35/1, Mela Ratha Veedhi,
Thoothukudi 2.
- 2.The Assistant Commissioner,
Hindu Religious Charitable and Endowments Department,
Alagesapuram Main Road,
Thoothukudi.
- 3.The Inspector,
Hindu Religious Charitable and Endowments Department,
Cohkkalingaswamy Temple,
Eral, Thoothukudi.
- 4.The Thakkar/Executive Officer,
Arulmighu Muthumalaiamman Thirukkivil,
Kurankani,
Eral Taluk, Thoothukudi

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned orders issued by the 1st respondent in his proceedings in Se.Mu.Na.Ka.No.2971/2021-1/A2 dated 13.05.2024 and Se.Mu.Na.Ka.No. 2971/2021-2/A2 dated 13.05.2024 and quash the same as illegal and consequently directing the respondents to allow the petitioner to continue as Hereditary Trustee in accordance with law.

For Petitioner : Mr.S.Mandhiralingeswaran

For Respondents : Mr.P.Subbaraj
Special Government Pleader

For Proposed
respondent : Mr.S.Sankar

ORDER

Heard Mr.S.Mandhiralingeswaran, learned counsel for the petitioner, Mr.P.Subbaraj, learned Special Government Pleader for the respondents and Mr.S.Sankar, learned counsel for the proposed respondent.

2.Pending enquiry in the proceeding initiated against the petitioner, who was the hereditary trustee of the fourth respondent temple, Arulmighu Muthumalaiamman Thirukkovil, the petitioner is before this Court.



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3.The learned counsel for the petitioner would submit that despite the order passed by this Court on 09.02.2024 in W.P.(MD) No.2761 of 2024 directing the respondents to hand over the keys, the respondents are proceeding further with the enquiry. Hence, the enquiry is liable to be quashed.

4.That apart, the learned counsel for the petitioner would submit that the respondents have not complied with the orders passed by this Court on 09.02.2024 in W.P.(MD) No.2761 of 2024.

5.The learned Special Government Pleader for the respondents, on instructions, would submit that the enquiry is to be held on 26.06.2024 before the first respondent.

6.Having considered the submissions made by the learned counsel for the petitioner and the learned Special Government Pleader for the respondents, I am of the view that the writ petition to interfere with the enquiry cannot be countenanced. Therefore, the Writ Petition is liable to be disposed of with a



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direction to the first respondent to complete the enquiry within a period of 12 weeks from the date of receipt of a copy of this order. As far as the alleged violation of the order passed on 09.02.2024 in W.P.(MD) No.2761 of 2024 is concerned, it is open for the petitioner to move suitable petition for enforcing the aforesaid order in the manner known to law.

7.The learned counsel for the proposed respondent also present in Court and he seeks to interfere with the enquiry proceeding. Therefore, He is at liberty to move suitable application before the first respondent.

8.The Writ Petition stands dismissed, accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Index : Yes / No
Internet : Yes / No
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C.SARAVANAN, J.

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