



WP(MD)No.19491 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.19491 of 2023
and
WMP(MD)No.16124 of 2023

Boopalan

.. Petitioner

v.

1.The Commissioner,
Hindu Religious and Charitable Endowments Board,
119, Uthamar Gandhi Road,
Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
Trichy.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Trichy.

4.Senthil Nathan

5.Rajasekhar

6.Kalaiselvi

.. Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the third respondent in Se.Mu.Na.Ka.No.9717/2022/A5 dated 14.03.2023, quash the same and consequently, directing the respondents 1 to 3 to appoint the petitioner as a Trustee of the Temple on the basis of continued possession and performance of daily poojas in the Temple and managing the affairs of the Temple.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.P.Subba Raj,
Special Government Pleader
for R.1 to R.3

No appearance
for R.4 to R.6

ORDER

The appointment of non-hereditary trustee for Arulmigu Sri Veera Anjaneyar Temple at Mambala Salai Road Signal, Thimmarayar Samuthiram Village, Srirangam Taluk, Trichy, is challenged in this writ petition.



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2.By the order impugned, the respondents 4 to 6 were appointed as the non-hereditary trustees for the administration of the Temple.

3.While entertaining this writ petition on 11.08.2023, this Court has passed the following interim order:-

“4.Therefore, the petitioner is entitled to be considered. As an interim measure, the petitioner and the fourth respondent shall manage the temple until further orders. The petition which was filed before the authorities shall be numbered and an enquiry shall be conducted and completed within a period of two months from the date of receipt of a copy of this order.”

4.There is no representation for the respondents 4 to 6. The official respondents have also not filed any counter affidavit till date. However, learned Counsel on either side submitted that the application filed by the petitioner u/s.63(b) of the Hindu Religious and Charitable Endowments Act before the Joint Commissioner has been numbered as O.A.No.11 of 2023 and the same is pending for enquiry.



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5. In view of the same, this writ petition stands disposed of with a direction to the second respondent / Joint Commissioner to conclude the proceedings in O.A.No.11 of 2023, on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order. Till such time, the interim arrangement made by this Court, vide order dated 11.08.2023, shall continue.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No **27.03.2024**
NCC : Yes / No
Internet : Yes
gk

To

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Chennai.

2. The Joint Commissioner,
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3. The Assistant Commissioner,
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B.PUGALENDHI, J.

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