



W.P(MD)No.20647 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.20647 of 2024

and

W.M.P(MD)Nos.17507 & 17509 of 2024

S.Manivannan

... Petitioner

Vs.

- 1.The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Board,
Chennai.
- 2.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Board,
Sivagangai.
- 3.The Fit Person / The Assistant Commissioner,
Arulmighu Koppadayanayagi Thirukovil,
Karaikudi.
- 4.The Executive Officer,
Arulmighu Koppudayanayagi Thirukovil,
Karaikudi.
- 5.M.Arunachalam Chettiar

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 & 2 to supersede / disqualify the fifth respondent for being and from being the trustee of Arulmighu Koppudayanayagi Temple, Karaikudi, Sivagangai District by considering the petitioner's representation, dated 04.06.2024 and pass such further or other orders as this Court.

For Petitioner : Mr.V.Meenakshi Sundaram
For R-1 to R-3 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R-4 : Mr.V.Chandrasekar
For R-5 : Mr.RM.Arun Swaminathan

ORDER

The present writ petition has been filed praying for a Writ of Mandamus, directing the respondents 1 and 2 to supersede / disqualify the fifth respondent for being a trustee of Arulmighu Koppudayanayagi Temple, Karaikudi, Sivagangai District, by considering the representation of the petitioner, dated 04.06.2024.

2. It is submitted by the learned Counsel for the petitioner that the fifth respondent had misappropriated the temple funds and acted against the interest of the subject Temple. In view thereof, the petitioner became disqualified from being a trustee in terms of Section 26 of the HR & CE Act. The



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petitioner has filed a representation, dated 04.06.2024 before the Joint Commissioner and the same has not yet been considered and orders passed thereon.

3. The learned Additional Government Pleader for the second respondent / Joint Commissioner would submit that the above representation would be considered and orders shall be passed in accordance with law after putting the petitioner and other interested parties on notice. Such order shall be passed within a period of three (3) months from the date of receipt of a copy of this order, which was accepted by the learned Counsel for the petitioner.

4. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the respondents herein to consider the petitioner's representation, dated 04.06.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and other interested persons/stake holders, within a period of three (3) months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the



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representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

29.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

- 1.The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Board,
Chennai.
- 2.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Board,
Sivagangai.



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3.The Fit Person / The Assistant Commissioner,
Arulmighu Koppadayanayagi Thirukovil,
Karaikudi.

4.The Executive Officer,
Arulmighu Koppudayanayagi Thirukovil,
Karaikudi.



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MOHAMMED SHAFFIQ, J.

BTR

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