



W.P(MD)No.20841 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.20841 of 2024

C.Velmurugan

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Administration Department,
Ellis Nagar,
Madurai.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Administration Department,
Ellis Nagar, Madurai.

3.Dhanalakshmi,
Arulmigu Thuvralpathi Amman Temple,
Chokkalingapuram Village,
Melur Taluk,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to remove the third respondent as holding the post of Managing Trustee of Thuvralapthy Temple situated at Chokkalingapurama Village, Melur Taluk,



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Madurai District based on proceedings in Na.Ka.No.1890/2024/Aa4, dated 13.03.2024 and consider the petitioner's representation, dated 08.08.2024 and pass such any further or other order as this Court.

For Petitioner : Mr.S.Balaji

For R-1 & R-2 : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

The present writ petition is filed for a Mandamus seeking direction of the respondents to remove the third respondent from the post of Managing Trustee of Thuvaralapthy Temple situated at Chokkalingapurama Village, Melur Taluk, Madurai District based on proceedings in Na.Ka.No.1890/2024/Aa4, dated 13.03.2024 and consider the petitioner's representation, dated 08.08.2024.

2. The writ petition is taken up for final disposal at the stage of admission. Though Dhanalakshmi is arrayed as third respondent, in view of the limited relief to consider the representation dated 08.08.2024, notice to the third respondent is dispensed with.



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3. At the outset, it is submitted by the learned Additional Government Pleader for the official respondents that earlier a writ petition in W.P(MD)No. 14771 of 2024 was filed by the third respondent herein, challenging the order passed by the second respondent herein vide proceedings bearing Na.Ka.No. 150/2024/Aa1, dated 11.06.2024 and consequential order passed in his proceedings bearing Na.Ka.No.150/2024-2-Aa1, dated 11.06.2024, whereby, the third respondent's nomination as a Non-Hereditary Trustee was cancelled and subsequently, a fit person was appointed as Thakkar. While considering the said writ petition, this Court was pleased to set aside the orders and remitted the matter back to the second respondent for fresh consideration vide order, dated 04.07.2024. It is submitted that pursuant to the above orders of this Court, an enquiry is pending before the second respondent. The learned Additional Government Pleader would submit that the second respondent would consider the present representation, dated 08.08.2024 while conducting the enquiry against the third respondent and pass orders as expeditiously as possible, 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,



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there shall be a direction to the second respondent herein to consider the petitioner's representation dated 08.08.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner, third respondent and any other interested persons/stake holders, as expeditiously as possible. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the second 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.

02.09.2024

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

To

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Administration Department,
Ellis Nagar,
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2. The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Administration Department,
Ellis Nagar, Madurai.



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MOHAMMED SHAFFIQ, J.

BTR

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