



W.P.(MD)No.21599 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.21599 of 2024

L.Muthu Krishnan

... Petitioner

Vs.

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Alageshapuram,
Tuticorin – 628 002.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
No.132, Tenkasi Courtallam Main Road,
Courtallam, Tenkasi District – 627 802.
- 3.The Inspector,
Hindu Religious and Charitable Endowments Department,
Tenkasi,
Tenkasi District – 627 811.
- 4.Thakkar / Fit Person,
Executive Officer,
Arulmigu Kuttrala Nathar Swamy Thirukovil,
Courtallam,
Tenkasi District – 627 802.

5.Jeyalakshmi

6. Paul Raj

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first and second respondents to conduct an enquiry for the appointment of Chairman to the board of trustee and pass appropriate order based on the petitioner's representation dated 08.08.2024.

For Petitioner : Mr.P.Baburaj

For R-1 to R-4 : Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

The present Writ Petition is filed praying for a Mandamus, directing the first and second respondents to conduct an enquiry regarding the appointment of Chairman to the board of trustee of the temple viz., Arulmigu Kutrala Nathar Swamy Thirukovil, Courtallam, Tenkasi District and pass appropriate order based on the petitioner's representation dated 08.08.2024. In view of the limited relief prayed for and proposed to be granted in the light of facts brought to the notice of this Court, notice to the respondents 5 and 6 is dispensed with.

2. It is submitted by the learned counsel for the petitioner that the first respondent vide proceedings dated 04.03.2024 appointed 3 non-hereditary trustees viz., Jeyalakshmi/5th respondent, Paul Raj/6th



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respondent and Muthu Krishnan/petitioner, in Arulmigu Kutrala Nathar Swamy

Thirukovil, Courtallam, Tenkasi District. In the said proceedings it is also stated that among those non-hereditary trustees, one of them has to be selected as Chariman to the Board of Trustee within 30 days from the said proceedings. But without any notice to the petitioner, the sixth respondent was selected to the said post. The petitioner became aware of such selection through newspaper publication dated 11.07.2024. Thus, the appointment of Chairman to the Board of Trustees has been made without any notice to the present non-hereditary trustee. Under such circumstances, the petitioner submitted a representation dated 08.08.2024 to the respondent authorities, seeking to conduct an enquiry regarding appointment of the Chairman to the Board of Trustee. Since no action was taken, the present petition is filed.

3. It is submitted by the learned Additional Government Pleader for the respondent authorities that the representation of the petitioner dated 08.08.2024 would be considered and orders would be passed thereon. The same is acceded to by the learned counsel for the petitioner.

4. In view thereof, taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a



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direction to the respondent authorities 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, respondents 5 and 6 and other interested parties / stake holders, within a period of four weeks 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 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. No costs.

11.09.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:

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MOHAMMED SHAFFIQ, J.

Nsr

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