



W.P.(MD)No.23667 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.23667 of 2024

and

W.M.P.(MD)Nos.20051 and 20052 of 2024

S.Jayakumar

... Petitioner

Vs.

- 1.The Secretary to Government,
Tourism, Culture and Endowments Department,
Secretariat,
Fort.St.George, Chennai – 9.
- 2.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Ramanathapuram.
- 5.Selvam
- 6.K.Bathravathi
- 7.R.Murgeshwari



W.P.(MD)No.23667 of 2024

8.T.Shanmugavelu

9.Gobinath

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records pertaining to all records of impugned order passed by the first respondent in G.O.(Pa).No.205, Tourism, Culture and Endowments (A.Ni 3-1) Department dated 09.08.2024 and consequential impugned order passed by the fourth respondent in Na.Ka.No. 3680-71/2018/A7/dated 13.09.2024 and quash the same as illegal and unconstitutional.

For Petitioner : Mr.S.Balamurugan

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

ORDER

This Writ Petition is filed challenging the order passed by the first respondent in G.O.(Pa).No.205, Tourism, Culture and Endowments (A.Ni 3-1) Department dated 09.08.2024 and consequential impugned order passed by the fourth respondent in Na.Ka.No.3680-71/2018/A7/dated 13.09.2024. 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 respondents 5 to 9 is dispensed with.



W.P.(MD)No.23667 of 2024

WEB COPY

2. At the outset, the learned counsel for the petitioner would confine his prayer for a direction to the third respondent to dispose of the Original application for framing a scheme to the petition mentioned temple in O.A.No.12 of 2023 within a period of three months from the date of receipt of a copy of this order.

3. While certain apprehensions were expressed by the learned counsel for the petitioner that the Joint Commissioner while deciding the Original Application in O.A.No.12 of 2023 for framing a scheme may be influenced by the observations made in proceedings dated 09.08.2024, whereby two non-hereditary trustees were appointed, the learned Additional Government Pleader would submit that it is always open to the petitioner to put forth his case as to how the impugned proceedings dated 09.08.2024 may not have a bearing while deciding the scheme in terms of Section 64 of the Act, which was agreed to by the learned counsel for the petitioner.

4. Recording the same, this Writ Petition stands closed. The Original Application in O.A.No.12 of 2023 shall be disposed of by the third respondent



W.P.(MD)No.23667 of 2024

within a period of three months from the date of receipt of a copy of this order,

in accordance with law, after affording a reasonable opportunity of hearing to the petitioner, respondents 5 to 9 and any other interested parties / stake holders.

No costs. Consequently, connected miscellaneous petitions are closed.

04.10.2024

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

To:

- 1.The Secretary to Government,
Tourism, Culture and Endowments Department,
Secretariat,
Fort.St.George, Chennai – 9.
- 2.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Ramanathapuram.



WEB COPY



W.P.(MD)No.23667 of 2024

MOHAMMED SHAFFIQ, J.

Nsr

W.P.(MD)No.23667 of 2024

04.10.2024