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WP No. 17857 of 2013
AND
WP No. 21867 OF 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 17857 of 2013 & WP No. 21867 OF 2014

and

M.P.No.1 of 2013 & M.P.No.1 of 2014

Sri Jalakandeswarer Dharmasthabanam
Represented by its Hon. Secretary,
4/37, Vinayakar Koil Street, Vellore-632001.

Petitioner(s) in both cases

Vs

1. The Government Of Tamil Nadu,
Represented by Its Secretary, Department Of Hindu
Religious And Charitable Endowments, Fort St. George,
Chennai-9.

2. The Commissioner,
Hindu Religious And Charitable Endowments,
Nungambakkam High Road, Nungambakkam,
Chennai.

3. The Assistant Commissioner,
Hindu Religious And Charitable Endowments,
RTO Office Road, Sathuvachary, Vellore-9.

Respondent(s) in W.P.No.17857 of 2013



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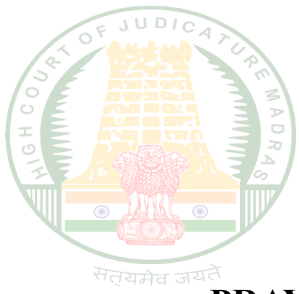
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1. The Government of Tamil Nadu
Represented by its Secretary, Department of Hindu
Religious and Charitable Endowments,
Fort St. George, Chennai-9
2. The Commissioner
Hindu Religious and Charitable Endowments,
Nungambakkam High Road, Nungambakkam,
Chennai
3. Joint Commissioner
Office of the Joint Commissioner, Hindu Religious
and Charitable Endowments Department, Vellore-9
4. R. Parivallal
Fit Person/Assistant Commissioner HR and CE,
R.T.O. Office Road, Sathuvachery, Vellore-9

Respondent(s) in W.P.No.21867 of 2014

PRAYER in WP No. 17857 of 2013:

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus calling for the records pursuant to the impugned G.O.Ms.No.154, Tourism, Culture and Religious Endowments (A.N3.1) Department, dated 18.06.2013, passed by the first respondent and quash the same and consequently direct the first respondent to follow the mandatory provision contemplated under Section 47(2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.



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PRAYER in WP No. 21867 of 2014:

Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorari calling for the records relating to the impugned order passed in M.P. in R.C.No.7776/2008/B2 dated 22.05.2014 of the third respondent and quash the same.

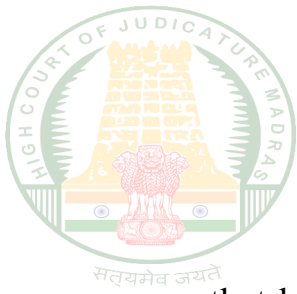
For Petitioner(s)
in both cases: Mr.Niranjana Rajagopalan

For Respondent(s)
in both cases: Mr.N.R.R.Arun Natarajan
Special Government Pleader (HR & CE)

COMMON ORDER

While W.P.No.17857 of 2013 has been filed against the impugned G.O.Ms.No.154, Tourism, Culture and Religious Endowments (A.N3.1) Department, dated 18.06.2013, passed by the first respondent appointing a Fit Person under Section 45(1) of the Hindu Religious and Charitable Endowments Act, 1959, (HR & CE Act), W.P.No.21867 of 2014 has been filed challenging the consequential order passed by the third respondent under Section 101 of the HR & CE Act.

2. It is not necessary for this Court to go into the various grounds



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that have been raised since during the pendency of these writ petitions, an order was passed on 18.09.2024 directing the petitioner to appear before the Joint Commissioner, HR & CE, Vellore, for framing a scheme. By virtue of the interim order passed on 17.03.2022, the temple is under the control and administration of the petitioner till date. It is also brought to the notice of this Court that the enquiry is going on before the Joint Commissioner.

3. In the light of the above development, ultimately, the Joint Commissioner, Vellore, has to hear the parties and frame a scheme. In the meantime, the temple is going to continue under the administration of the petitioner. Ultimately, if, after the framing of the scheme, any of the parties are aggrieved, it can be put to challenge in the manner known to law. For that purpose, these writ petitions cannot be kept pending. Except giving this clarity, no further orders are required to be passed in this writ petition. It goes without saying that the further course of action with respect to the administration of the temple will be subject to the subsequent orders to be passed in the pending proceedings.



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Both the writ petitions are disposed of in the above terms. No costs.

Connected M.Ps. are closed.

03-06-2025

nsd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1.The Secretary, Department Of Hindu Religious And Charitable Endowments, Fort St. George, Chennai-9.

2.The Commissioner,
Hindu Religious And Charitable Endowments,
Nungambakkam High Road, Nungambakkam,
Chennai.

3.The Assistant Commissioner,
Hindu Religious And Charitable Endowments,
RTO Office Road, Sathuvachary, Vellore-9.

4.Joint Commissioner
Office of the Joint Commissioner, Hindu Religious and Charitable Endowments Dept., Vellore-9

5.R.Parivallal
Fit Person/Assistant Commissioner HR and CE, R.T.O.Office
Road, Sathuvachery, Vellore-9



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