



W.P.No.7238 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 03.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.7238 of 2025

and

W.M.P.No.8052 of 2025

B.S.KANNAN

... Petitioner

Vs

1. THE SECRETARY,
HINDU RELIGIOUS & CHARITABLE ENDOWMENTS DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT,
FORT ST. GEORGE,
CHENNAI 600 009.
2. THE COMMISSIONER
HINDU RELIGIOUS & CHARITABLE ENDOWMENTS DEPARTMENT,
119, UTHAMAR GANDHI ROAD,
NUNGAMBAKKAM,
CHENNAI – 600 034.
3. THE JOINT COMMISSIONER,
HINDU RELIGIOUS & CHARITABLE ENDOWMENTS DEPARTMENT,
CHINNAMUTHU II STREET,
PERUNDURAI ROAD,
ERODE - 638 012.
4. B.P.BALASUBRAMANIAN
5. J. RAVI

... Respondents



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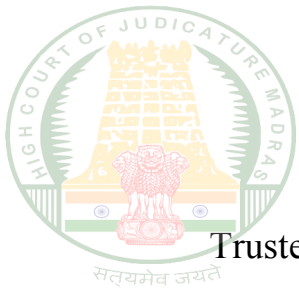
Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus to direct the respondents -1 to 3 to restrain the respondent - 5 from discharge the function of Chairman of hereditary trustees for the writ temple namely Sri Vaitheeswaran Temple situated at Bommarapalayam Village, Namakkal District pending disposal of the appeal in AP. No. 115/2024 on the file of 2nd respondent.

For Petitioner : Mr.M.Saravanakumar
For R1 to R3 : Mr.K.Karthikeyan
Government Advocate

ORDER

The prayer in the writ petition is to issue a writ of mandamus, directing the respondents 1 to 3 to restrain the respondent 5 from discharging the function of Chairman of Hereditary Trustees for the writ temple, namely Sri Vaitheeswaran Temple situated at Bommarapalayam Village, Namakkal District pending disposal of the appeal in A.P. No. 115/2024 on the file of second respondent.

2. On perusal of the affidavit filed in support of the petition, it can be seen that the family members are making allegations against each other with reference to the discharge of the functions of the office of the Hereditary



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Trustees. However, since the appeal filed by the petitioner is pending, this Court will not exercise the jurisdiction under Article 226 to grant any interim order pending the appeal. The petitioner ought to have moved the same authority for grant of any interim order, if desired. In any event, in the nature of the case, it would suffice to direct the second respondent to dispose of the appeal petition before whom it is pending.

3. In view thereof, this writ petition is disposed of on the following terms:-

(i) The second respondent is directed to dispose of the appeal in A.P.No.115 of 2024 within a period of three months from the date of receipt/production of the website uploaded copy of this order without waiting for the certified copy of the order.

(ii) Consequently, connected miscellaneous petition is closed. No costs.

03.03.2025

Neutral Citation: Yes/No
nsl



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