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WP No. 11065 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

WP No. 11065 of 2024

and

WMP No. 12150 of 2024

Madurai Vandiyur
Nacharammal Trust,
Through its Chairman, D.Tamilganesan,
S/o.A.Dhankrishnamoorthy,
D-1/ 5/ 32 Sanjeevi Nagar 2nd Street,
A.G. Assembly (near) Anaiyur, Madurai 625 017.

Petitioner(s)

Vs

1. The Commissioner
HR &CE,
Uthamar Gandhi Salai,
Nungambakkam Chennai 34.
- 2.The Secretary
Tamil and Cultural, Tourism Department,
Secretariat Chennai
- 3.The Joint Commissioner
HR &CE, Elish Nagar, Madurai.
- 4.The Deputy Commissioner/ Executive
Officer
Arulmigu Kallalagar Thirukovil,
Algarkovil, Melur Taluk,
Madurai District.
- 5.M.Thiruppathy
S/o. Muthusamy Pillai,
No. 25 Rajaji Street,



Pasumpon Nagar, Madurai 3.

6.R.Kamatchiammal @

Pitchaiamman ,

Middle Street, Kovilpapakudi, Pothumbu

Post, Madurai 625 018.

Respondent(s)

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus, directing the respondents 1 to 4 not to interfere with the peaceful administration and management of the trust properties and take necessary steps to obstruct the 5th and 6th respondent from interfering in the petitioner's trust property, Madurai Vandiyur and pass.

For Petitioner(s): Mrs.R.Abirami

For Respondent(s): Mr.K.Karthekeiyan
Government Advocate for R1 &
R3
Mr.J.Ram for R4
Mr.R.Subramanian
for Mr.B.Ravi for R6
R6-Died

ORDER

Heard Mrs.R.Abirami, learned counsel for the petitioner.
Mr.K.Karthekeiyan, learned Government Advocate for respondents 1 & 3,
Mr.J.Ram, learned counsel for 4th respondent and Mr.R.Subramanian, learned
counsel for 6th respondent.

2. After hearing the learned counsel, I find that for the very same relief,
infact for a larger relief, the petitioner has already approached the Joint



Commissioner, Madurai District by filing an application filed under Section 53(2)(b),(c),(d),(e)(f), (i)(ii) of the HR & CE Act, 22 of 1959 (in short, “the Act”). Even in the affidavit filed in respect of this writ petition, the petitioner submits that the representation dated 15.03.2024 has been pending and had not been disposed of.

3. It is brought to the notice of the learned counsel for the petitioner that the very same prayer is now sought for in this writ petition.

4. The learned counsel for the petitioner submitted that the writ petition may be disposed of with a direction, directing the Joint Commissioner, HR & CE Department, Madurai, to dispose of the pending representation dated 15.03.2024.

5. Mr.K.Karthekeiyan, learned Government Advocate appearing for the respondents 1 & 3, brings to my notice that similar prayer was sought by one Mr.R.Vijayakumar in M.P.No.208 of 2019, and by an order dated 27.03.2025, the Joint Commissioner, HR & CE Department, Madurai, has passed a final order in the said petition. However, the present application is filed by the petitioner herein and not the same person, who had already suffered an order dated 27.03.2025.



6. At this juncture, Mr.K.Karthekeiyan, learned Government Advocate appearing for the respondents 1 & 3 would state that the Executive Officer has already been appointed and even took charge in April 2025.

7. In the light of the above, considering that the similar prayer has already been made before the Authority concerned, it would suffice to direct the Joint Commissioner, HR & CE Department, Madurai, to dispose of the representation dated 15.03.2024 of the petitioner, after giving an opportunity to the contesting parties. It is also open to the contesting parties to challenge the very entitlement of the present petition to seek for relief. According to the 4th respondent, the present petitioner is “Madurai Vandiyur Nacharammal Trust”, through its Chairman Mr.D.Tamil Ganesan, whereas, the Trust has been registered under the name viz., “Madurai Vandiyur Nacharammal Paramparai Arakkattalai”. All contentions are open to the parties, including the maintainability of the application and entitlement of the present writ petition.

8. With the above direction, this Writ Petition is disposed of, directing the Joint Commissioner, HR & CE Department, Madurai, to conduct an enquiry, after giving due opportunity to the petitioner and all parties concerned and pass



orders, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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9. Insofar as the application filed under Section 53 & various sub-sections thereunder, the Joint Commissioner, HR & CE Department, Madurai, shall pass final orders, after affording an opportunity to all the parties and dispose of the same, on or before 30.06.2026.

10. It is also brought to my notice that the order appointing Fit Person has been challenged by the petitioner before the Madurai Bench of this Court and it appears that the said writ petition has been listed today under the caption “For admission”. In the event of any necessity to amend the prayer in Section 53 application, then the Joint Commissioner of HR & CE Madurai, is given an additional three (3) months time to dispose of the Section 53 application. No costs. Consequently, connected Miscellaneous Petition is closed.

11-11-2025

Jd
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



To

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Uthamar Gandhi Salai,
Nungambakkam Chennai 34.

2. The Secretary
Tamil and Cultural, Tourism Department,
Secretariat Chennai

3. The Joint Commissioner
HR &CE, Elish Nagar, Madurai.

4. The Deputy Commissioner/ Executive
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