



W.P(MD)No.15851 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.15851 of 2025

Parimila

... Petitioner

Vs.

1.The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowment Department,
Nungambakkam,
Chennai-34.

2.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowment Department,
Dindigul.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to review/reconsider the order dated made in O.P.No.2/1939 respectively on the basis of the petitioner's representation dated 26.03.2025.

For Petitioner : Mr.R.G.Shankar Ganesh

For Respondents : Mr.S.S.Madhavan
Additional Government Pleader



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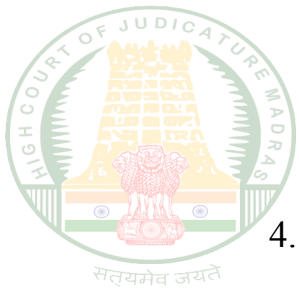
ORDER

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This writ petition has been filed for writ of Mandamus directing the respondents to review/reconsider the order in O.P.No.2/1939 on the basis of the petitioner's representation dated 26.03.2025.

2. It is informed that the petitioner has filed O.A.No.17 of 2021 under Section 63(b) of the Hindu Religious and Charitable Endowments Act for declaring that the office of the trusteeship in the Arulmigu Kudal Alagia Perumal temple is by way of hereditaryship.

3. The learned counsel for the petitioner submits that the office of the Joint Commissioner, namely, the second respondent has brought to the petitioner's attention that an order was passed on 23.03.1942 in O.P.No.2 of 1939 under Section 84 (2) of the Madras Hindu Religious Endowments Act, 1926. However, the learned counsel for the petitioner fairly submits that there is a decision in his favour and the copy of which has not been produced before this Court. He further submits that as per the aforesaid order, all orders passed prior to the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 come into force has to be revalidated within three years.



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4. Therefore, I see no impediment in directing the second respondent to dispose of the petitioner's O.A.No.17 of 2021 strictly in accordance with the provisions of the Hindu Religious and Charitable Endowments Act, 1959 as in force. It is open to the petitioner to persuade the second respondent that the order, dated 23.03.1942 in O.P.No.2 of 1939 is no longer valid in the light of the repeal of the 1926 Act and in the light of the decision, which according to the petitioner states that the order passed under the earlier enactments have no validity. The second respondent is directed to dispose of O.A.No.17 of 2021 as expeditiously as possible preferably within a period of six months from the date of receipt of a copy of this order. It is needless to state that all the concerned parties shall be heard before passing final orders.

5. The writ petition stand disposed of with the above direction. There shall be no order as to costs.

12.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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WEB **To** COPY

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C.SARAVANAN, J.

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