

W.A(MD) No.1449 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A(MD) No.1449 of 2022

and

C.M.P.(MD)No.11679 of 2022

1.Kulanthai Selvam

2.M.Pandi

3.R.Vijayakumar

4.S.Sureshkumar

5.M.Mookusamy

6.K.Kannan

... Appellants / Respondents 6,9,10,11,12&13

Vs

1.P.C.Chandran

2.Krishnan

... 1st & 2nd Respondents/1st & 2nd Respondents

3.The Commissioner,
Hindu Religious and Charitable Endowments,
Nungampakkam High Road,
Chennai-34.

4.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Madurai,
Madurai District.

5.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Madurai,
Madurai District.



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6.The Inspector,
Hindu Religious and Charitable Endowments,
Madurai,
Madurai District.

... Respondents 3 to 6/ Respondents 1 to 4

7.Mahalingam
8.R.Murugan
9.M.Venkatesan

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the Judgment dated 30.03.2022 in W.P.(MD)No.2409 of 2022 on the file of this Court.

Prayer in WP(MD). 2409/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue WRIT OF MANDAMUS, directing the Respondent No.2 and 3 to ensure that only the Hereditary Trustees appointed as per Sec.63(b) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 are continuing the management of the Arulmigu Sri Sonai Karuppanna Swamy Temple, Kovilpappakudi, Madurai District and conducting festivals in the light of the orders in Na.Ka.No.3040/2020-2/A4 dated 30.06.2021 and the consequential orders in Na.Ka.No.3040/2020/A4 dated 13.09.2021 and 13.12.2021 passed by the 3rd Respondent within the time period stipulated by this Honble Court and pass such further or other orders as this Honble Court.

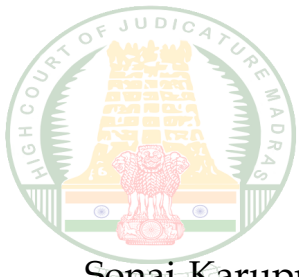
For Appellant	:	Mr.VR.Shanmuganathan
For Respondents	:	Mr.S.Rajasekar for R1, R2 & R7
	:	Mr.M.Saravanan for R8 & R9
	:	Mr.K.S.Selvaganesan
		Additional Government Pleader for R3 to R6

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The case on hand pertains to the management of Arulmighu Ayyanar and



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Sonai Karuppannasamy Thirukovil, Pappakudi Village, Madurai District. The writ
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petitioners filed W.P.(MD)No.2409 of 2022 for directing the official respondents to ensure that the hereditary trustees are appointed as per the scheme earlier framed. The learned single Judge vide order dated 30.03.2022 disposed of the writ petition in the following terms:-

“3. Under these circumstances, I dispose this writ petition by directing the Joint Commissioner to dispose O.A.No.19 of 2021, in which the petitioners have impleaded themselves as respondents. This exercise shall be carried out by the second respondent within a period of six months from the date of receipt of copy of this order. The second respondent is therefore directed to pass appropriate orders in accordance with law keeping in mind the provisions of the Hindu Religious and Charitable Endowments Act, 1959 and Constitution of India and other enactments that are applicable.”

Aggrieved by the said order, this writ appeal has been filed by the appellant who figured as the 6th respondent in the writ petition.

3. When we posed a question as to why against an order directing disposal of an application, the writ appeal has been filed, the learned counsel appearing for the appellant submitted that in Paragraph No.2 of the order, certain adverse findings have been given. The said findings stand vacated. We direct the Joint Commissioner, HR & CE Department, Madurai to club all the OAs **(*)(O.A.No.19 of**



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2019, O.A.No.45 of 2024 & O.A.No.7 of 2025) and dispose them within six months.

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The Joint Commissioner shall not ask for any extension of time. All the parties are strictly directed to extend their co-operation. If any one of the parties fails to co-operate, they will be set exparte. The matter will be disposed of on merits. The writ petitioners are entitled to place reliance on the order dated 12.12.1977 made in O.A.No.29 of 1977. Likewise, the appellant herein can also collaterally question it. The Joint Commissioner will issue notices to all the interested parties before passing final order.

4. The Writ Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

20.03.2025

(*)Corrected as per order of this Hon'ble Court dated 30.04.2025 in WA(MD)No. 1449/2022

Sd/-

Assistant Registrar (CS-III)

// True Copy //

30/04/2025

Sub Assistant Registrar
Madurai Bench of Madras High Court,
Madurai.

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To मेव जयते

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3.The Assistant Commissioner,
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Madurai,
Madurai District.

4.The Inspector,
Hindu Religious and Charitable Endowments,
Madurai,
Madurai District.

+1 CC to M/s.SPL.GP (SR-18916[F] dated 21/03/2025)

+1 CC to M/s.M.SARAVANAN, Advocate (SR-29162[F] dated 30/04/2025)

+1 CC to M/s.M.SARAVANAN, Advocate (SR-18588[F] dated 21/03/2025)

+1 CC to M/s.S.RAJASEKAR, Advocate (SR-18821[F] dated 21/03/2025)

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20.03.2025

RS (30/04/2025) 5P/ 9C

Madurai Bench of Madras High Court is issuing
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