



W.P(MD)No.30134 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 25.10.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30134 of 2025

and

W.M.P(MD)No.23309 of 2025

K.S.R.Keisi

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Trichy – 5.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Trichy.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the impugned order passed by the second respondent in Se.Mu.Na.Ka.No.1753-6/2025/A5 dated 23.07.2025 and quash the same as illegal.



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For Petitioner : Mr.D.Boopal

For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

Heard both sides.

2.It is obvious that the writ petitioner is the incumbent trustee. He had already filed an application before the jurisdictional Joint Commissioner under Section 63 of the HR&CE Act, 1959 to declare him as a hereditary trustee.

3.Be that as it may, the the impugned order appointing a fit person was passed without putting the petitioner on notice. This Court vide order dated 30.01.2020 made in W.P(MD)No.3380 of 2016 (The Executive Officer & Others Vs The District Collector Dindigul District, Dindigul & Others) had held that before passing an order under Section 54(4) of the Act, the incumbent trustee will have to be necessarily put on notice and at least summarily heard.



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4.In this view of the matter, the order impugned in this writ petition is quashed. This Writ Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

25.10.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Trichy – 5.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Trichy.



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G.R.SWAMINATHAN, J.

MGA

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