



W.P.No.12673 of 2022
and W.M.P.Nos.12122 and 12123 of 2022

G.R.SWAMINATHAN., J.

and
SENTHILKUMAR RAMAMOORTHY., J.

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

Heard learned counsel appearing for the writ petitioner. The petitioner questions the validity of G.O.(Ms.) 13, Tourism, Culture and Religious Endowments (R.E.5-1) Department, dated 12.01.2022, whereby it is proposed to appropriate surplus of temple funds as well as funds from Commissioner's Common Good Fund for establishing Homes for senior citizens.

2. The learned counsel for the petitioner submits that though the purpose set out in the G.O. would fall within Section 66 (k) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, the procedure set out under Section 36 of the Act read with the Rules made thereunder have not been fulfilled. He would also state that for the last 12 years, the temples in question are managed only by a Fit Person and no regular Board of Trustees has been constituted. He would highlight that the Fit Person is not supposed to take a major policy decision. In any event, in this case, pursuant to a statement made on the Floor of the Assembly, the impugned G.O. has been issued.



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(sra)

3. Before we proceed to consider the said contentions of merits, the learned Advocate General appearing for the respondents submits that no appropriation from any source pursuant to the impugned G.O. will be made for a period of six weeks.

4. Recording the submission of the learned Advocate General, the matter stands adjourned.

List the case on 13.06.2022.

(G.R.S.J.,) (S.K.R.J.,)
12.05.2022

sra

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