

BEFORE THE COMMISSIONER, H.R.&C.E. ADMN.DEPARTMENT,CHENNAI-34.

Tuesday the 9th day of April, Two thousand and thirteen.

Present : Thiru P. Dhanapal, M.A.,B.L.,
Commissioner.

A.P. 3/2010 D2.

Royal Reddiar.

..Appellant.

In the matter of Arulmighu Vadakalai Perumal alias Perumal Temple, Aladi, Vridhachalam taluk, Cuddalore District.

Appeal Petition filed under Section 69(1) of the Tamil Nadu H.R.& C.E. Act 1959 (Tamil Nadu Act 22 of 1959) against the order dated 23.09.2009 of the Joint Commissioner, HR & CE Admn.Department, Villupuram in dismissing the O.A. No.82/2006 filed under Section 63(b) of the Act.

Annexure to Order in R.Dis. A.P. 3/2010 (D2) dated : 9.4.2013.

The above appeal petition filed against the order dated 23.9.2009 of the Joint Commissioner, Villupuram in dismissing the O.A. 82/2006 filed under Section 63 (b) of the Act.

2. The Joint Commissioner dismissed the above Original Application on the following grounds. The petitioner was appointed as one of the non-hereditary trustee by the department. The Non-hereditary trustees were appointed to the said temple from the year 1981 onwards. And also the temple was under Oru Kala Pooja Scheme.

3. The appellant contended that the Joint Commissioner without framing of issues has passed the final order and also failed to consider the evidentiary value of the documents produced by the appellant. Deposition given by the petitioner and witness and photos proves that

the management of the temple has been vested with the petitioner's family for the past 3 generations. Ex.A1 proves that the said temple was constructed by the ancestors of the appellant.

4. The above appeal petition came up for hearing on 30.3.2010, 8.6.2010, 27.10.2010 31.8.2010, 12.10.2010, 8.3.2011, 24.8.2011, 12.10.2011, 21.2.2012, 24.4.2012, 11.12.2012 and 29.1.2013. On all the occasions both the appellant and his counsel called absent. I perused the relevant records. Non-hereditary trustees were appointed from the year 1981. Appellant also appointed as non-hereditary Trustee in the year 1997 and elected as Chairman Board of Trustees. Further the temple is beneficiary under "Orukala Pooja Scheme". This proves that the incomes from the properties were not properly utilized for the temple. The appellant failed to prove his claim with clinching evidence. Documents produced by the appellant are of recent origin. It is not proved by the appellant that the temple was founded by the ancestors of the appellant and the management of the temple is vested with the appellant's family for the past 3 generations.

5. Hence, I find no valid reason to interfere with the order dated 23.9.2009 of the Joint Commissioner, Villupuram and accordingly it is hereby confirmed. The appeal petition has no merits and deserves to be dismissed; accordingly it is hereby dismissed as devoid of merits.

/typed to dictation/

Sd. P. Dhanapal,
Commissioner.

/ true copy/ by order/

Superintendent.