

BEFORE THE DEPUTY COMMISSIONER HINDU RELIGIOUS AND
CHARITABLE ENDOWMENTS THAMAVUR.

O. A. No. 78 of 1972.

Dharmaraja Velalar. ... Petitioner.

vs.

R.V. Chidambara Velalar and others. Objectors.

Counter filed by the objectors.

1. The allegations in the petition are opposed to the facts and unsustainable in law. These objectors deny every allegation therein which is not admitted herein.

2. The allegation in para 2 of the petition that the temple was constructed two hundred years ago by one of the ancestors of the petitioner with his own funds for the benefit and welfare of his posterity is devoid of all truth and is a preposterous and frivolous claim.

3. The allegation in para 3 of the petition

that the petitioner's ancestors managed the temple hereditarily is emphatically denied. All the further allegations in that para, that Dharmaraja Velalar was in management till his death, that by succession to him Govindasamy Velalar became trustee, that by succession to him Perumal Velalar became trustee, and that petitioner succeeded to him as trustee are equally baseless and devoid of truth. They are all freely drawn from imagination to bolster up a false claim to hereditary Trusteeship by the petitioner.

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4. The further allegations in para 4 that at the times respectable persons were permitted by petitioner's ancestors to participate in temple functions but that no trusteeship right was given to them, is a malafide and insidious statement, purposely couched in the vaguest language so as to be utilised to cover up the false and frivolous claims according to contingencies. These allegations have no basis whatever.

5. These objectors who are all Hindu residents and Karaiars in the suit village and worshippers at the temple crave leave to set out the true facts relating to the temple. This temple has always been in the management of the villagers of Vendakottai wherein the temple is situate. Usually some prominent person of the village in whom the villagers had confidence undertook the management with common consent. The management changed hands according to the changing opinions and conditions in the village. Naturally such type of managements without a steady basis aroused discontent and suspicions and the matter came to a head in the year 1911. On 19-8-1911, 23 of the prominent villagers representing the four karais in the village met and executed a registered Settlement to resolve the crisis. The settlement refers to the disunity among the villagers and the resultant detriment to the interests of the temple. Under the document 5 trustees are appointed from

namely (1) Govindasami Velalar, (2) Rajappa Velalar, (3) Chockalinga Chettiar; (4) Govinda Vanathiriyar; and Rengasami Mudaliar. The document states that at the end of

the 10th year period fresh trustees may be nominated or the same persons continued according to the then conditions.

6. But subsequent documents show that many

other trustees have also been in management. Even in 1911 one Govinda Velalar son of Ranga Velalar as trustee has purchased property for temple. Similarly in 1934, Chidambaramudaliar as Trustee has purchased similar properties for the temple. Other persons like Rajappa Velalar, Ramasami Chettiar, Arunachala Thondaman, Manicka Velalar and Subbiah Vanathiriyar are seen to have managed as Trustees. There are numerous kist receipts in the name of Govinda Velalar.

In the year 1958 when Resettlement was introduced, the register shows the names of the trustees as Darmaraja Velalar

Rajappa Velalar, Ramasami Chettiar, Chidambaramudaliar and Arunachala Thondaman.

7. Therefore documents 1 to 4, of 1930 and

1934, relied on by the petitioner if true can only show that his Grand-father may have been one of such appointed Trustees, and documents 5 to 10 of 1965 if true is consistent

with the petitioner having been one of such appointed

Trustees ^{that} year. The leases and payments for kist

alleged by the petitioner are also consistent only with

his appointed trusteeship of one among many in the

relevant year.

8. Deficits in temple in-come are met by

villagers by contributions. The compound wall has also been a joint venture of the villagers and festivals also stand on

the same footing. There are ubayakars for special festivals:

Ramasami Chettiar for Skandashasti festival, Chidambaramudaliar for Sivaratna festival, Suppayya Vanathiriyar for

Onchocerca
1730 rods
13.3.73

Advocate,
Thiru P.H. Chandrasekharan, M.A.B.
Thanjavur.

13-3-77

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