

DEPUTY COMMISSIONER, HR & CE (ADMN) DEPARTMENT, THANJAVUR.
O.A.79/72.

Dharmaraja Velalar.

Petitioner.

Vs.

Nil.

Respondent.

Petition under sec.63(b) of the Act XXII of 1959.

I. PETITIONER: Dharmaraja Velalar, son of Perumal Velalar, Hindu, Saivite, aged 55, residing at Vendakottai village and post, Pattukkottai taluk, Thanjavur district.

A.F.S.: Thiru.T.R.Srinivasan, B.Com., B.L.,
Advocate
THANJAVUR.

II. RESPONDET. NIL.

1. There is a temple called Sri Subramaniaswami temple situate in Vendakottai village, Pattukkottai taluk.

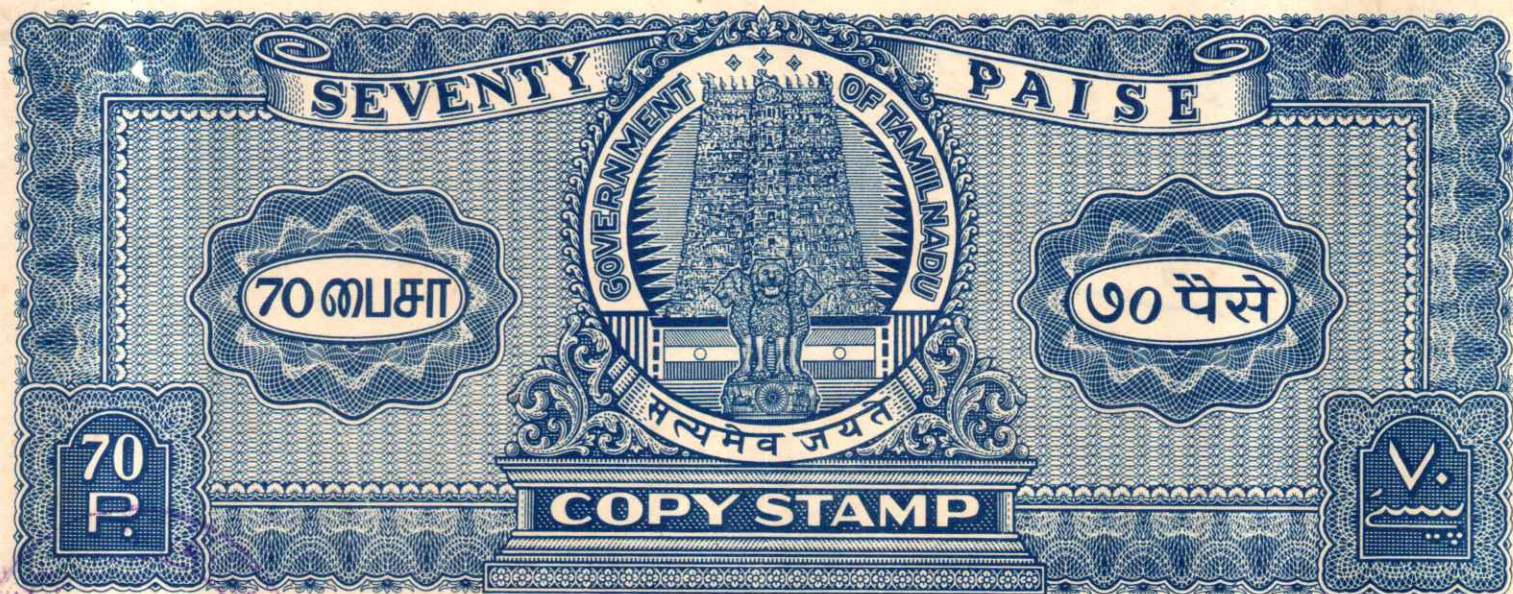
2. The temple is a small but ancient temple constructed more than 200 years ago by one of the ancestors of the petitioner., with his own funds for the benefit and welfare of his posterity.

3. The temple was accordingly managed by the petitioner's ancestors as trustees hereditarily. So far as the petitioner could know from his parents and other persons in the village, the temple was managed by the petitioner's great-grand-father Dharmaraja Velalar who was its hereditary trustee...

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Corrs: *NY*

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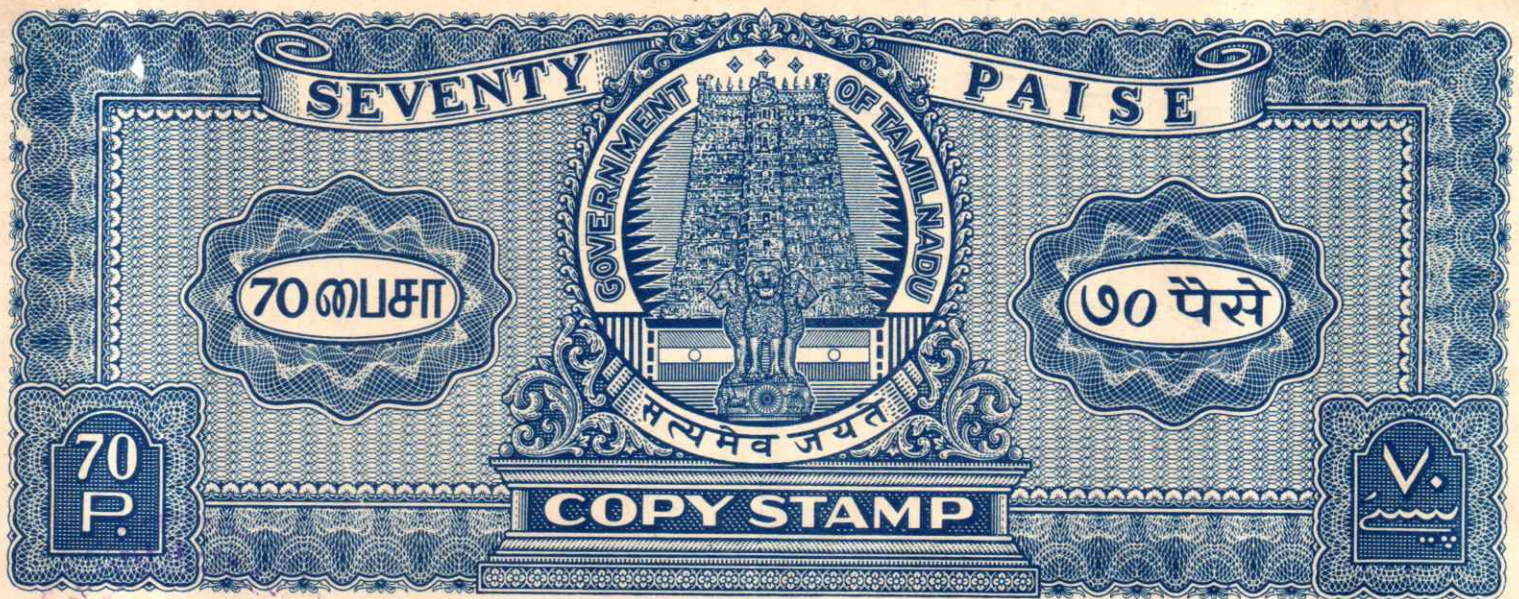
till his death. After his death, his son Govindasamy Velalar became trustee of the temple on succession and he was managing the affairs of the temple for more than 50 years till he died in or about 1945. Afterwards his son Perumal Velalar (petitioner's father) became the trustee on succession and he died in 1956. Even while he was alive, as he was sickly the petitioner was assisting him in the management of temple affairs. After the death of his father, the petitioner succeeded as the trustee of the temple and he is in management of the temple affairs in his capacity as its hereditary trustee till today.

4. The management of the temple has all along been vested in the family of the petitioner and his ancestors alone were actually acting as its hereditary trustees continuously without any break. No other than the members of the family of the petitioner had ever managed the affairs of the temple at any point of time, though at times some respectable persons...

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2nd page.

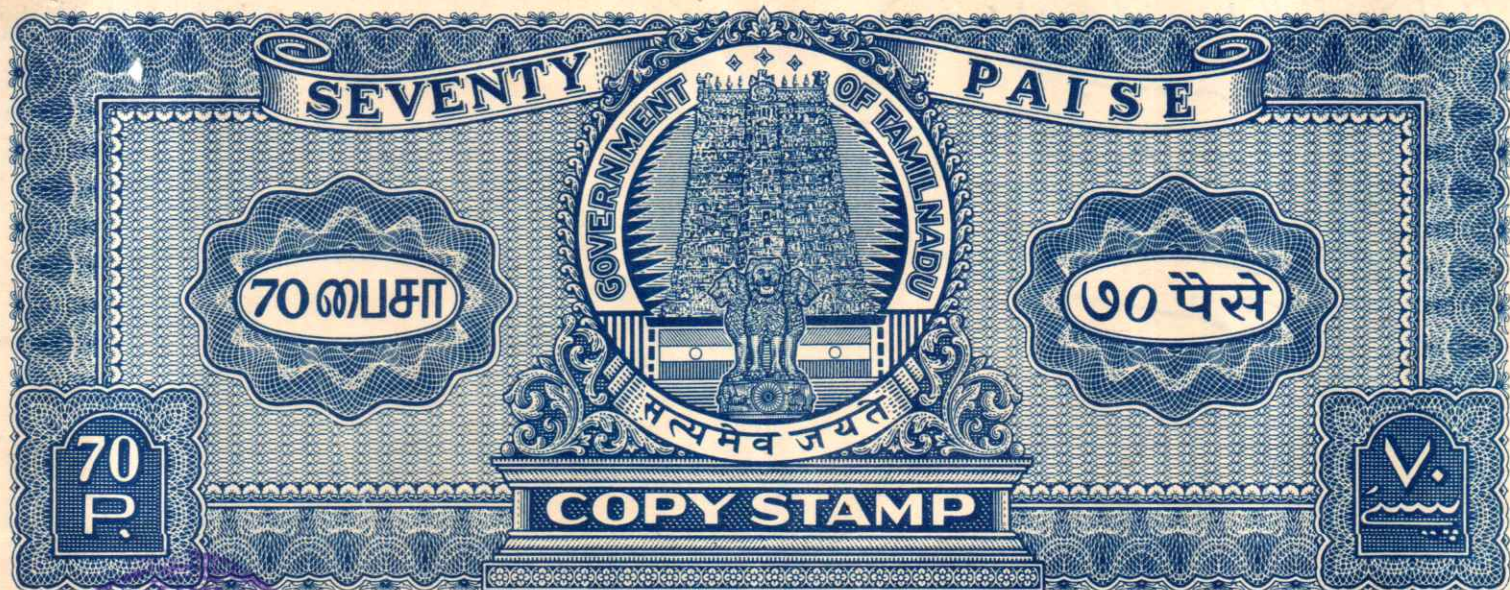


of the village also were allowed on permission by the petitioner's ancestors to participate in the temple functions along with them, out of respect and regard and also with a view to enlist of the cooperation of all the villagers in making the temple functions a grand success. But no trusteeship right or right in the actual management of the temple was ever given to any of those persons. Further none of them had any hereditary rights and they never interfered in the management of the temple. The petitioner is herewith filing ancient documents relating to the temple to show that the management was always with the petitioner's family alone.

5. The temple owns 8 acres 31 cents of wet lands out of which only 6 acres 90 cents are under actual cultivation. The remaining lands are river bund and hence not suitable for cultivation. The petitioner is paying the kist for the lands in his capacity as its hereditary trustee. He has leased out the lands to several tenants and he is collecting the rents from them every year. Out of the above said income from the lands, the petitioner is spending for the temple's maintenance.

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Corrs: Nil



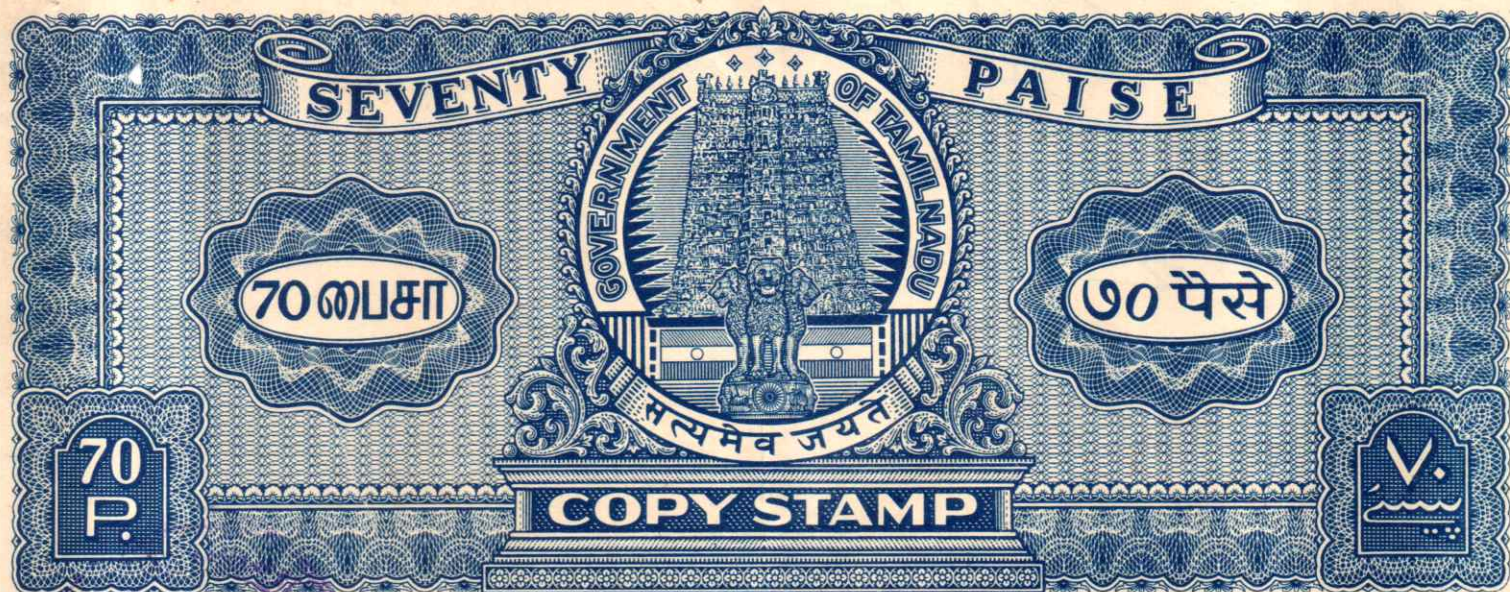
6. Everyday one Kala Pooka is performed by a Gurukkai who is paid by the petitioner an annual salary of ~~50~~ 40 kalams of paddy. Every year festivals are conducted during visakam in the month of Vaikasi, Vijaya-Dasami in the month of Purattasi Marthigai in the month of Karthigai. The income from the lands are not sufficient for all these expenses and hence the petitioner used to spend out of his pocket apart from local contributions.

7. Recently, the petitioner has constructed a compound wall by his efforts and by contribution from the villagers at a cost of Rs 6000/- The work of renovation is not yet complete- The temple was also recently visited and inspected by the Special Inspector, HR & CE Pattukkottai.

8. Recently the petitioner received a notice dated 18.7.72 from the Office of the Assistant Commissioner, HR&CE, Thanjavur calling for applications for the appointment of non-hereditary trustees for the suit temple. The petitioner submits that the said move is illegal and he was not given any opportunity to make his objections as to why non-hereditary trustee.

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should not be appointed and to put forth his claim of hereditary trusteeship. The petitioner is advised to file an application before this Hon'ble court under Sec.63(b) of the Act and get his hereditary rights of trusteeship to the suit temple recognised and declared. Hence, the petitioner is constrained to file this application before this Hon'ble Court.

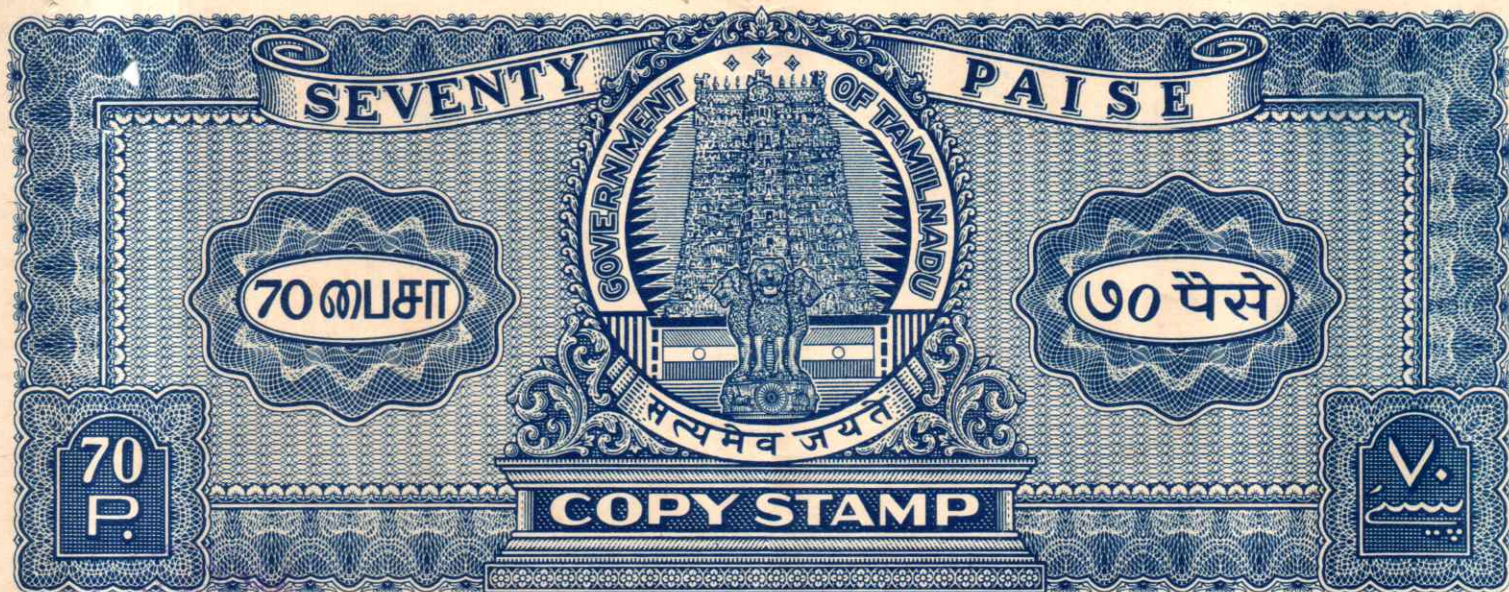
I V. A fixed court fee of Rs.15/- is paid hereon under the Schedule of court fees payable under sec.104 of the Act.

V. The petitioner therefore prays that this Hon'ble Court may be pleased to pass an order-

(i) declaring that the petitioner is the hereditary trustee of Sri Subramania~~x~~wami temple, Situate in the village of Vendakottai in Pattukkottai taluk and...

Words:175.

Corrs: Nil



(ii) granting such other and further reliefs to the petitioner as may be deemed fit in the circumstances of the case.

Sd. T.R. Srinivasan,
Advocate. 26.8.72.

Sd. P. Dharmaraja Velalar.
Petitioner.

I, the petitioner herein, do declare that the facts stated above are true and correct to the best of my knowledge and belief and I signed this at Thanjavur on 26.8.72.

GENEOLOGICAL TABLE

Charmaraya Velalar

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Govindasamy Velalar

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Perumal Velalar.

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Dharmaraja Velalar

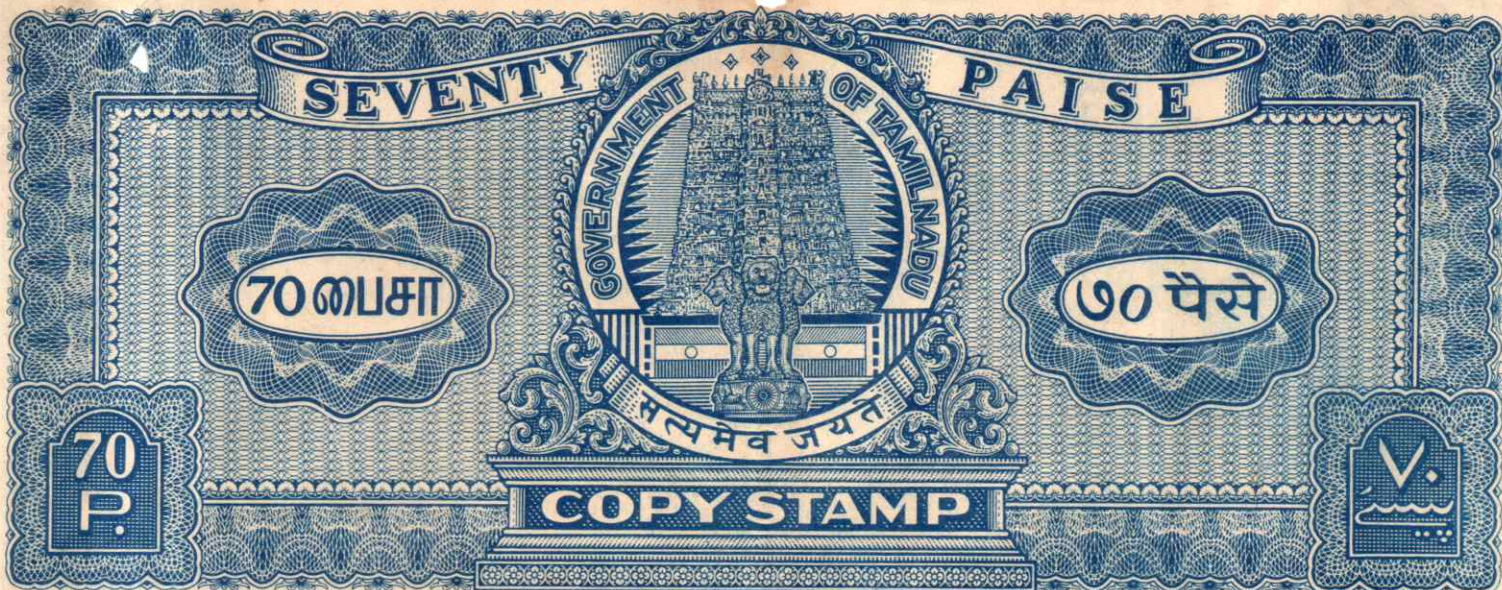
(Petitioner)

Sd. P. Dharmaraja Velalar.
Petitioner.

Sd. T.R. Srinivasan.
Advocate.

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BEFORE THE DEPUTY COMMISSIONER, HR&CE (ADMN) DEPT. THANJAVUR.

O.A. of 1972.

Sharmaraya Velalr.

Petitioner.

Vs.

Nil.

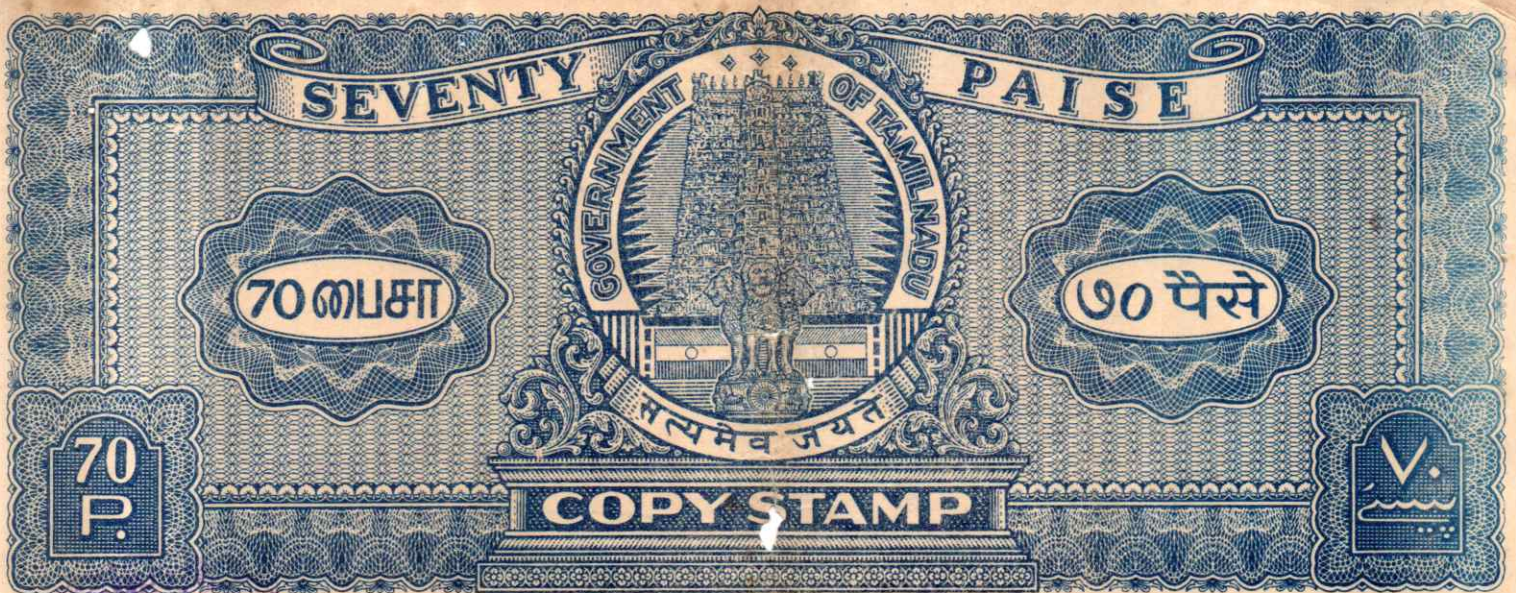
Respondent.

List of documents filed by the petitioner.

<u>Date.</u>	<u>Description.</u>	<u>Remarks.</u>
1. 5.7.1930.	Notice under Land Acquisition Act issued to petitioner's grandfather.	Original
2. Sep.1930.	-do- -do-	"
3. 22.10.1934.	Permit for irrigation with Cauvery water issued to petitioner's grand father as trustee for temple lands.	"
22.10.1934.	-do- -do-	"
4. 6.7.1965.	Notice under Act XXVI of 1948 in respect of temple lands issued to petitioner as trustee.	"
6, 10.9.1965.	Order under sec.39(4) (a) of Act XXVI of 1948 in respect of temple lands issued to petitioner as trustee.	Served copy
7. 17.12.1965.	Copy of G.O.Ms.No.3451 served on the petitioner as trustee in respect of temple lands.	Served copy.

Words: 175.

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8. 29.11.1965. Notice under sec.38(2) of Act XXVI of 1948 issued to petitioner as trustee in respect of temple lands.

Served copy

9. 18.10.66. Copy of G.O.Ms.No.2652 Rev.dt.25.8.66 with communication served on the petitioner as trustee.

"

10. 12 kst receipts issued to petitioner as trustee in respect of the temple lands by the V.H.M.

Original.

11. 18.7.72. Notice calling for applications for the post of trustee issued by the A.C.HR & CE, Thanjavur.

Served copy.

The above documents are filed herewith.

Sd.T.R.Srinivasan,

26.8.72.

Advocate.

/true copy/

M. Venkatasamy
Manager. 13/2/73.

Words: 100.

Corrs: 24.

Typed by: S. Rajalakshmi

Compared by: S. K. K. K.

Read by: C. N. N. N.

Total words: 625

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Certified Copy to the
petition in OA 78/72.

OFFICE OF THE DEPUTY COMMISSIONER FOR
HUMAN SERVICES AND CHARITABLE
DEPT. 1. FAVORABLE

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Manager

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