

In Re: Munirathna Gurukkal

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SooperKanoon Citation : sooperkanoon.com/778044

Court : Chennai

Decided On : Feb-26-1940

Reported in : (1940)1MLJ935

Appellant : In Re: Munirathna Gurukkal

Judgement :

Horwill, J.

1. There can be no doubt that after 1904, the villagers have been actively managing the suit institution. The presumption is, therefore, that even before that year they had the right of Management - or the petitioners would not have acquiesced in the loss of their authority. Moreover, the petitioners have on more than one occasion described themselves only as archakas, and have allowed others to be called dharmakarthas.

2. The villagers, by allowing the archakas for some years before 1904 to manage the small property of the temple, did not lose their right of management of the institution, or even of its property.

3. This petition is dismissed.