



W.P.(MD) No.10708 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.10708 of 2023

C.Navaneethan

Vs.

... Petitioner

- 1.The Secretary to the Government,
Hindu Religious Charitable and
Endowments Department,
Secretariat,
Fort St.George,
Chennai-600 009.
- 2.The Commissioner,
Hindu Religious Charitable and
Endowments Board,
No.34, Nungambakkam High Road,
Chennai-600 034.
- 3.The Joint Commissioner,
Hindu Religious Charitable and
Endowments Board,
No.40, Muthusamy Nagar,
Tirupattur Road,
Sivagangai.



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4.The Assistant Commissioner,
Hindu Religious Charitable and
Endowments Board,
Paramakudi,
Ramanathapuram District.

5.The Fit Person,
Arulmighu Santhi Veeransamy Thirukkivil,
Malakottai Taluk,
Singampuneri Taluk,
Sivagangai District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 18.02.2023 by considering to bring the Chinna Samy Veeran Temple (Samy Veedu) situated at S.No. 237/40 Mallakottai Village, Singampuneri Taluk, Sivagangai District under the purview of the respondents herein after affording an opportunity to all parties concerned if any within the time stipulated by this Court.

For Petitioner : Mr.P.Mahendran
For R1 to R4 : Mr.P.Subbaraj
Special Government Pleader



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ORDER

This writ petition has been filed for a direction to the respondents to consider the petitioner's representation dated 18.02.2023 by considering to bring the Chinna Santhi Veeran Temple (Samy Veedu) situated at S.No.237/40 Mallakottai Village, Singampunari Taluk, Sivagangai District, under the purview of the respondents herein after affording an opportunity to all the parties concerned, if any, within the time stipulated by this Court.

2. The petitioner would submit that he is the permanent resident of Malaikottai Village, Sivagangai District, where several temples are located. The writ is with reference to Sri Arulmighu Santhi Veeransamy Temple, which is a historical temple. The petitioner would submit that the temple is situated in an extent of 3.43 acres of land, where the temple and other old buildings are situated. The temple is under the control of the HR&CE Department through a fit person, who is arrayed as fifth respondent in the writ petition. The fifth respondent was taking care of the day-to-day administration of the temple by virtue of the order passed



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by the fourth respondent. Every year, during the Tamil month of Ani, the temple festival (Thiruvizha) is conducted in a grant manner. The celebrations include Kudivilakku Thiruvizha, Samy Attam, Oil bath to temple deities, Samy attam with milk, Manvilakku thiruvizha and on the final day, Erudukatti Villa is conducted. One of the rituals is the procession of Sri Arulmighu Santhi Veeransamy Temple from Chinna Santhi Veeransamy temple to Periya Santhi Veeransamy temple, where once again there are several poojas and rituals carried out. The Chinna Santhi Veeransamy temple is comprised in Survey No. 237/40 measuring an extent of 0.10.49 hectares. Chinna Santhi Veeransamy temple possesses several valuable articles. During this procession, the articles lying in Chinna Santhi Veeransamy temple are worn on the deity of Sri Santhi Veeransamy and taken in a big procession to the main deity of the temple in the village.

3. The petitioner would further submit that for the past few years, there has been a dispute with regard to giving of temple honours during the conduct of the temple thiruvizha. Several writ petitions have been



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filed in this regard. While so, in an earlier writ petition in W.P(MD) No. 643 of 2023, this Court vide order, dated 10.01.2023 had passed an order after taking into account the earlier orders in respect of the temple particularly with reference to the giving of temple honours to any individual. Chinna Santhi Veeransamy Temple is not under the purview of HR&CE Department along with Periya Santhi Veeransamy Temple. It appears that some residents of Chinna Santhi Veeransamy Temple are now claiming the temple honours for the conduct of the festivals. Now, therefore serious doubt arises in the minds of the villagers as to whether dispute would arise among themselves on the basis of castes. The petitioner would submit that now the festival for the month of Ani is to be held and there is an apprehension that certain miscreants might create problems. Therefore, the above writ petition has been filed.

4. Heard the learned counsel appearing on either side.

5. The petitioner in his representation has requested that Chinna Santhi Veeransamy temple to be brought within the control of the



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HR&CE Board. Admittedly, the Chinna Santhi Veeransamy temple does not come under the control of the HR&CE Department. Therefore, this writ petition is allowed with a direction to the respondents to consider the representation of the petitioner dated 18.02.2023 and pass appropriate orders after affording an opportunity of hearing to all the parties concerned within a period of one month from the date of receipt of a copy of this order. No costs.

28.04.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
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To

1. The Secretary to the Government,
Hindu Religious Charitable and
Endowments Department,
Secretariat,
Fort St. George,
Chennai-600 009.



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P.T.ASHA, J.

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