



W.P.(MD).No.17123 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.17123 of 2023

Anandan

... Petitioner

Vs.

- 1.The District Collector,
Tiruchirappalli,
Tiruchirappalli District.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruchirappalli – 05.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruchirappalli.
- 4.Thasildhar,
Manachanallur Taluk,
Tiruchirappalli District.
- 5.The Inspector of Police,
Siruganur Police Station,
Tiruchirappalli District.
- 6.The Inspector,
Hindu Religious and Charitable Endowment Department,
Manachanallur,
Tiruchirappalli.



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7.Chellamuthu @ Nehru

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 2 to 3 to make effective steps to allow the petitioner to serve as a poojari in 'Arulmiguvinayagar pidari mujthukarupu chellandiamman Temple' at and hand over the Temple key from seventh respondent to the petitioner.

For Petitioner	: M/s.S.Surekha, For Mr.R.Venkatesan
For R-1 to R-4 and R-6	: Mr.R.Ragavendran, Government Advocate.
For R-5	: Mr.K.Sanjay Gandhi, Government Advocate, (Criminal Side).
For R-7	: Mr.P.Mahendran

ORDER

This Writ Petition is filed for Mandamus, directing the respondents 2 to 3 to make effective steps to allow the petitioner to serve as a poojari in 'Arulmigu Vinayagar Pidari Mujthukarupu Chellandiamman Temple' and hand over the Temple key from seventh respondent to the petitioner.



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2. The petitioner was appointed as Poosari on 17.02.2023 and the petitioner was continuing his service. The contention of the petitioner is that the seventh respondent has not handed over the Temple key, hence the petitioner was aggrieved and has submitted a representation to the authorities. It is seen that the seventh respondent who is acting as a Darmakarthi of the Temple, is not having smooth relationship with the petitioner. It is submitted that the petitioner and the seventh respondent belong to the same community.

3. The learned counsel appearing for the seventh respondent submitted that the petitioner is not having clean antecedents and there are several complaints from 3 persons and has submitted the copy of the complaints. The learned counsel appearing for the petitioner vehemently denied the said allegations.

4. On perusing the allegations which is submitted by the seventh respondent it is seen that the allegations are stereo typed and all the three persons have submitted three petitions respectively to four different authorities. Totally, there are 12 such petitions and the contents are verbatim same. Therefore, prima facie this Court is of the considered opinion the said complaint cannot be accepted. However, the learned counsel appearing for the



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respondents submitted that the complaint ought to be scrutinized. But that direction cannot be granted in this Writ Petition, since it is a petition filed by the petitioner and the petitioner's claim alone can be considered. Moreover, the said complaints are different cause of action, there is nothing to do with the petitioner's claim in the present writ petition.

5. Since there were disputes, allegations and counter allegations against the parties, the Tahsildar has conducted Peace Committee Meeting, wherein it was decided as a temporary arrangement, one Chidambaram can be appointed as temporary poosari.

6. It is seen that the petitioner has submitted an application claiming poosariship and the same is pending before the Assistant Commissioner. Therefore, the petitioner is directed to approach the Assistant Commissioner and putforth all the claims and the Assistant Commissioner shall consider the petitioner's claim as well as the respondents claim and pass appropriate orders within a period of four weeks from the date of receipt of the copy of the order. Until then the said Chidambaram shall serve as temporary poosari. If the respondent has not considered the petitioner's claim within the prescribed time, then the petitioner is entitled to continue the service as poojari.



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7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

21.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

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S.SRIMATHY, J.

Nsr

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