

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.Nos.6906 of 2016

V.Nehru

..Petitioner

Vs.

The Commissioner
Hindu Religious and Charitable Endowments Dept.,
Chennai-34.

2.The Joint Commissioner
HR&CE Department
Vellore 632 009.

3.The Assistant Commissioner
HR&CE Department
Kancheepuram

4.The Executive Officer
Arulmighu Ekambaranathar Thirukoil
Kancheepuram-631 502.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the respondents to consider the representation dated 03.02.2016 of the petitioner, regarding putting up of temporary shop during the ensuing Panguni Uthiram Festival, 13th March to 27th March in Arulmighu Ekambaranathar Thirukoil, Kancheepuram.

For Petitioner : Mr.G.Punniyakotti

For Respondents: Mrs.K.V.Dhanapalan, AGP (HR&CE).

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioner has come up with the present writ petition for issuance of writ of mandamus to direct the respondents to consider the representation dated 03.02.2016 of

the petitioner, regarding putting up of temporary shop during the ensuing Panguni Uthiram Festival, 13th March to 27th March in Arulmighu Ekambaranathar Thirukoil, Kancheepuram.

3.The petitioner is eking his livelihood by putting up temporary shops. At present, in Arulmighu Ekambaranathar Thirukoil at Kancheepuram annual festival brahmotsavam is going to be conducted for about 15days, the said function would be celebrated in a grand manner.

4.The petitioner has given a representation with regard to the permission for putting up temporary shops during the Panguni Uthiram Festival without causing any hindrance to the worshippers. The Executive Engineer of the temple issued a circular dated 02.02.2015, informing the Commissioner, HR&CE through the Joint Commissioner, HR&CE, banning the temporary shops to be put up during the temple festival.

5.At present, many people like petitioner are totally depending on the income by putting up temporary shops. It is for the temple authority to consider the representation dated 03.02.2016, given by the petitioner for putting up temporary shops during the temple festival.

6.The learned Additional Government Pleader submits that the circular dated 02.02.2016, issued by the Executive Engineer, banning not to put up temporary shops during Panguni Uthiram Festival is now pending before the second respondent/Joint Commissioner for further consideration.

7.Heard the submissions of learned counsel appearing for the petitioner and the learned Additional Government Pleader who accepts notice on behalf of the respondents.

8.In view of the submission so made by the learned Additional Government Pleader, this Court directs the second respondent/Joint Commissioner to consider the representation of the petitioner dated 03.02.2016 along with the circular of the Executive Engineer dated 02.02.2015 and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on merits of the claim of the petitioner.

9.The writ petition is disposed of accordingly. No costs.

TSH

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The Commissioner
Hindu Religious and Charitable Endowments Dept.,
Chennai-34.

2.The Joint Commissioner
HR&CE Department
Vellore 632 009.

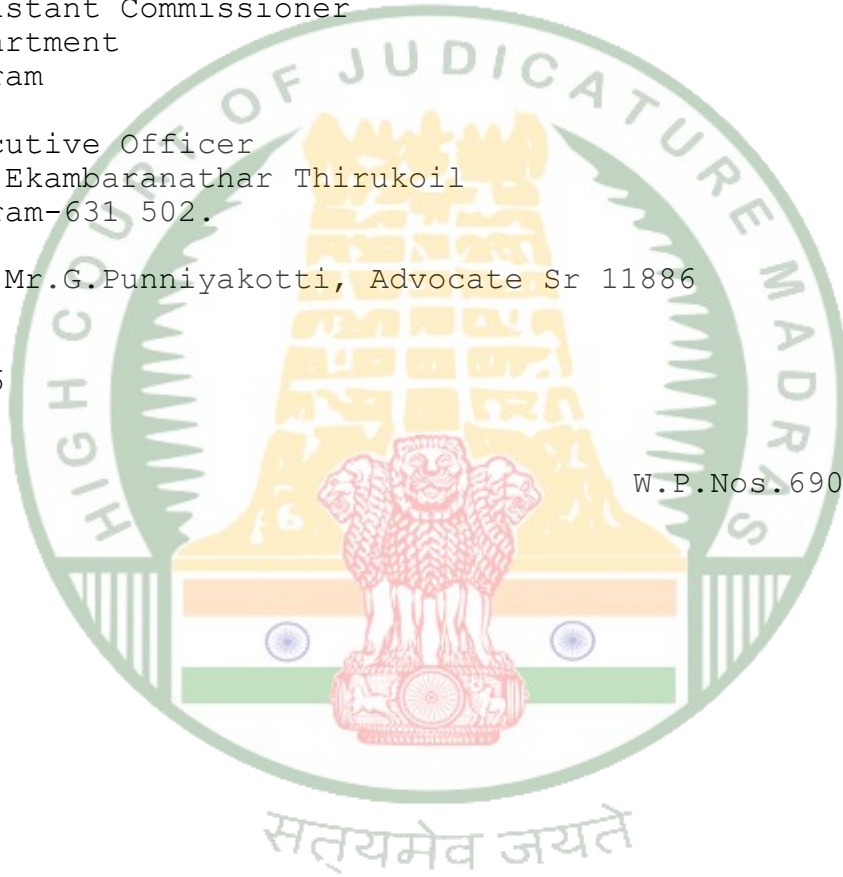
3.The Assistant Commissioner
HR&CE Department
Kancheepuram

4.The Executive Officer
Arulmighu Ekambaranathar Thirukoil
Kancheepuram-631 502.

+ 1 CC TO Mr.G.Punniyakotti, Advocate Sr 11886

KR/29/2/16

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