



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.21752 of 2016

and

W.M.P.(MD).No.15550 of 2016

Geetha Chellapandian

... Petitioner

Vs.

1. The Fit Person/Deputy Commissioner,
Arulmigu Pandi Muneeswarar Temple,
Melamadai,
Madurai District.
2. The Executive Officer/Deputy Commissioner,
Arulmigu Pandi Muneeswarar Temple,
Melamadai, Madurai District and
Hindu Religious and Charitable
Endowment Department.
3. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to appoint the petitioner to conduct the Poojai Murai of Arulmigu Pandi Muneeswarar Koil, Melamadai, Madurai, during the tenure of Mr.Chellapandi, the suspended Poojari in consideration of the petitioner's representation dated 28.09.2016.

For Petitioner : Mr.G.Prabhu Rajadurai

For R1 & R2 : Mr.S.Manohar

Government Advocate

For R3 : Mr.VR.Shanmuganathan

Special Government Pleader

O R D E R

The writ petition has been filed seeking a direction to the respondents to appoint the petitioner to conduct the Poojai Murai of Arulmigu Pandi Muneeswarar Koil, Melamadai, Madurai, during the tenure of Mr.Chellapandi, the suspended Poojari, in consideration of the petitioner's representation, dated 28.09.2016.

<https://hcservices.ecourts.gov.in/hcservices/>
According to the petitioner, her husband one Chellapandi is a Hereditary Trustee and the Poojari. Earlier, by an order dated 06.07.2013, the second respondent suspended the petitioner's



husband from the Hereditary Trusteeship of the said Temple. Thereafter, there was a dispute between the petitioner and the sisters of the said Chellapandi Poojrari. Hence, a writ petition was filed before this Court in W.P.No.20500 of 2013 and this Court, by an interim order, dated 15.05.2014, allowed the petitioner to conduct the Poojai Murai in the place of her husband Chellapandi. Now, once again the respondent Department, by another order, removed the petitioner's husband from Trusteeship and also suspended from Poojariship. In the circumstances, the petitioner filed an application before the third respondent requesting them to permit her to continue as a Poojari in the place of her husband Chellapandi. Based on the above representation, the third respondent also issued a notice for enquiry to be held on 17.10.2016 and the petitioner also appeared for enquiry and made her statement. But, till date no order has been passed. Hence, the petitioner has filed the present writ petition before this Court.

3. Mr.S.Manohar, the learned counsel appearing for the respondents 1 and 2 and Mr.VR.Shanmuganathan, the learned Special Government Pleader appearing for the third respondent submitted that in the above said enquiry, the sisters of the Chellapandi Poojari were appeared to claim right over the property. Hence, so far no orders has been passed by the respondents.

4. In the above circumstances, since the matter is pending before the third respondent and already enquiry has been commenced, the third respondent is directed to conduct an enquiry, after giving an opportunity to the petitioner as well as the rival claimants and pass suitable orders on merits and in accordance with law on or before 30.11.2016.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The Fit Person/Deputy Commissioner,
Arulmigu Pandi Muneeswarar Temple,
Melamadai, Madurai District.
2. The Executive Officer/Deputy Commissioner,
Arulmigu Pandi Muneeswarar Temple,
Melamadai, Madurai District and
Hindu Religious and Charitable
Endowment Department.



3. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Madurai.

WEB COPY

+1cc the Special Government Pleader in SR.68811
+1cc to Mr.S.Manohar, Advocate in SR.68974
+1cc to Mr.G.Prabhu Rajadurai, Advocate in SR.68543

W.P. (MD) No.21752 of 2016
14.11.2016

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