



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.22713 of 2016
and
W.M.P. (MD) .Nos.16250 and 16251 of 2016

P.M.MATCHARANI

... 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 praying for the issuance of a Writ of Mandamus directing the respondents to permit the petitioner to function as a hereditary Trustee of Arulmigu Pandi Muneeswarar Temple, Melamadai Madurai as a legal heir of the petitioner's mother Anandhavalli and further allow the petitioner to do the poojas and to take part in the administration of the said temple on the dates exclusively specified to the petitioner's mother as of her share which right came through her father Mahamuni Poosari on the basis of the petitioner's representation dated 28.09.2016.

For Petitioner

: Mr.R.Anand

For Respondents

: Mr.S.Manohar for RR-1 & 2

Mr.R.Anandharaj
Govt. Advocate for R-3



ORDER

This writ petition has been filed for directing the respondents to permit the petitioner to function as a hereditary Trustee of Arulmigu Pandi Muneeswarar Temple, Melamadai Madurai as a legal heir of the petitioner's mother Anandhavalli and further allow the petitioner to do the poojas and to take part in the administration of the said temple on the dates exclusively specified to the petitioner's mother as of her share which right came through her father Mahamuni Poosari on the basis of the petitioner's representation dated 28.09.2016.

2. According to the petitioner, she is the daughter of one Anandhavalli, who is the mother of one Chellapandian, who was recognised as hereditary trustee of Arulmigu Pandi Muneeswarar Temple, Melamadai, Madurai. Subsequently, he was suspended. Now, the petitioner is claiming right to conduct poojas in the temple. She has already filed a petition before the respondents to consider her application to conduct poojas. Since no order has been filed in that application, she has filed the present writ petition.

3. The learned counsel appearing for the respondents would submit that earlier, the wife of the above said Chellapandian filed a writ petition in W.P.(MD).No.21752 of 2016, seeking similar relief and this Court, by an order dated 14.11.2016, directed the first respondent/Fit Person herein, to conduct an enquiry, after giving an opportunity to the petitioner as well as the rival claimants and pass suitable orders on or before 30.11.2016. Pursuant to the same, notice was issued by the first respondent directing the petitioner therein and the rival claimants to appear for enquiry and the enquiry is posted on 28.11.2016.

4. In the above circumstances, the petitioner is directed to appear before the first respondent/Fit Person/Deputy Commissioner, Arulmigu Pandi Muneeswarar Temple, Melamadai, Madurai District on 28.11.2016 and submit her objection and the first respondent is also directed to consider the claim of the petitioner and pass orders, as directed by this Court, in the earlier writ petition on or before 30.11.2016.

5. With the above observation, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS I)

/True copy/



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

+1CC TO MR.R.ANAND, ADVOCATE SR.NO.72616

vs

sm:SS3/SAR3:25.11.2016:3P/5c

W.P (MD) No.22713 of 2016