

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2017

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.7400 of 2017
and WMP.No.8056 of 2017

L.Paramasivam
S/o.Loganathan
Special Officer
Arulmigu Sundara Vinayagar, Arulmigu Mariamman,
Arulmigu Gengaiamman, Arulmigu Iyyanar Temples,
Plot No.78, Door No.5,
D-Lane, V.V.P.Nagar, Thattanchavadi,
Pondicherry - 605 009. ... Petitioner

Vs.

The State rep by
The Commissioner,
Hindu Religious Institutions
No.149, Aurobindo Street,
Pondicherry - 605 001. ... Respondent

Writ Petition filed under Article 226 of the
Constitution of India praying for issuance of a Writ of Mandamus
to direct the respondent to permit the present committee of
Arulmigu Sundara Vinayagar, Arulmigu Mariamman, Arulmigu
Gengaiamman, Arulmigu Iyyanar Temples to perform Astapanthana
Maha Kumbabishekam Perunchanthi festival, which is scheduled to
be held on 30.06.2017 between 9.00 a.m. to 10.30 a.m.

For Petitioner : Mr.V.Krishnamoorthy

For Respondent : Mr.A.Tamilvannan
Government Advocate (Pondy)

ORDER

The petitioner has filed this Writ Petition praying to
direct the respondent to permit the present committee of
Arulmigu Sundara Vinayagar, Arulmigu Mariamman, Arulmigu
Gengaiamman, Arulmigu Iyyanar Temples to perform Astapanthana
Maha Kumbabishekam Perunchanthi festival, which is scheduled to
be held on 30.06.2017 between 9.00 a.m. to 10.30 a.m.

2. By consent, the writ petition is taken up for final disposal.

3. It is the case of the petitioner that he is a retired teacher and has been appointed by the Government of Pondicherry as Special Officer to administer the affairs of Arulmigu Sundara Vinayagar, Arulmigu Mariamman, Arulmigu Gengaiamman and Arulmigu Iyyanar temples, situated at Thattanchavadi, Pondicherry. Later, a Thirupanni Committee comprising of five members were also formed to assist the petitioner in discharging his duties. The petitioner, along with Thirupanni Committee, performed duties to the satisfaction of the respondent. Having good rapport, the petitioner was permitted to operate a bank account in connection with Temple affairs. It is pertinent to mention that the petitioner, with the assistance of Thirupani Committee, had initiated steps to renovate the Temples and to perform Kumbabhisekam functions, in connection with which the respondent had also given his approval to the petitioner to print the donation books and donations so collected were also submitted before the respondent.

4. Thereafter, to his surprise, the respondent sent a communication to the President of Arulmigu Sundara Vinayagar, Arulmigu Mariamman, Arulmigu Gengaiamman and Arulmigu Iyyanar temples, situated at Thattanchavadi, Pondicherry, to constitute a Board of Trustees and also to verify the records relating to the Temple properties without prior intimation to the petitioner and Committee members.

5. It is the contention of the petitioner that he has no objection in appointing the new Board of Trustees for the said Temples, however his only grievance is that the respondent had dictated over the existing management in appointing the Board of Trustees. Moreover, the renovation of the said Temples is nearing completion and that the Kumbabhishegam of the Temples is scheduled to be performed on 30.06.2017. In this connection, the petitioner and his Management have issued pamphlets and also made arrangements for several programmes on the said date. In such a case, appointment of new Board of Trustees would disturb the arrangements made by the petitioner Management and would also cause inconvenience to them. Therefore, the petitioner has made a representation dated 20.03.2017 in person to the respondent to defer the proposed appointment of new Board of Trustees till Kumbabhishegam work is completed. Since no response is received from the respondent, the petitioner is left with no other alternative but to file this Writ Petition for the above prayer.

6. Taking into consideration the submissions made by the learned counsel for the petitioner, this Court without going into the merits of the case, directs the respondent to consider the said representation of the petitioner dated 20.03.2017 in accordance with law and submit a reply of the same to the petitioner within a period of four weeks from the date of receipt of a copy of this order.

7.. With the above direction, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To:

The Commissioner,
Hindu Religious Institutions
No.149, Aurobindo Street,
Pondicherry - 605 001.

+1cc to Mr.V.Krishna Moorthy, Advocate Sr.19057
+1cc to the Government Pleader Sr.19046

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WP.No.7400 of 2017

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