

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.01.2017

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.37747 of 2015
and M.P.No.1 of 2015

P.Sundararajan

.. Petitioner

Vs

1. The Commissioner
Hindu Religious and Charitable Endowments Department,
Mahatma Gandhi Road, Chennai 600 034.
2. The Joint Commissioner
Hindu Religious and Charitable Endowments Department,
Villupuram.
3. The Asst.Commissioner,
Hindu Religious and Charitable Endowments Department,
Cuddalore.
4. The Executive Officer,
Arulmighu Thiruchopura Nathar Temple,
Thiruchopuram, Thiyagavalli Post,
Cuddalore District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the fourth respondent to hand over the keys of the Temple and Office, of Arulmighu Thiruchopura Nathar Temple, Thiruchopuram, Cuddalore District, totalling 8 numbers, forthwith to the petitioner, in pursuant to the representation dated 14.10.2015.

For Petitioner : Mr.R.Selvakumar

For Respondents : Mr.M.Maharaja
Spl.Govt.Pleader

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O R D E R

This petition has been filed by the petitioner to issue a writ of Mandamus directing the fourth respondent to hand over the keys of the Temple and Office, of Arulmighu Thiruchopura Nathar Temple, Thiruchopuram, Cuddalore District, totalling 8 numbers, forthwith to the petitioner, in pursuant to the representation dated 14.10.2015.

2. According to the petitioner, he has been served as the Internal Administrator (Ulthurai Maniam) of the Arulmighu Thiruchopura Nathar Temple(hereinafter called as Temple) Thiruchopuram, Thiyaavalli Post, Cuddalore District, for the past 30 years. The post of Internal Administrator or popularly known as Maniam, is associated with the day to day maintenance of the Temple, in all its aspects, performance of poojas, collection of donations, keeping accounts, safe-keeping of the Idols, safe-guarding the ornaments, to conduct the Hindu festivals meant for Lord Siva, with special poojas, etc. He had been given the privilege of Maniam, by keeping all the keys of the Temple and its office, numbering 8 numbers, because originally it had been his grandfather Thillainayagam who was performing the same and subsequently his father Paramasivam, performing the same. One Mr.Kandiban, who is working as a clerk in the temple, on 08.07.2015, when he was away from his house, approached his sister, who was present at that point of time, had requested for keys of the temple at 12 noon, as insisted by the fourth respondent. Since the said clerk of the temple had acquaintance with his family members, they also believing his words, had handed over the keys of the temple. The said Kandiban did not return the key. The fourth respondent informed the petitioner that he would appoint him as Internal Maniam. Once again, after one week time and on informing that, immediately he had disconnected the mobile and he could not contact him. When he contacted the fourth respondent after a long time and queried with him as to why and how he had been removed, as there was no mistake or wrong committed by him and he was not given any notice etc., before getting the keys from him and till date, no notice or order of termination or suspension was served on him. Therefore, the petitioner had given a representation to the respondents 1 to 3, but no action has not been considered the same. Hence the petitioner has come forward with the present writ petition.

3. Heard the learned appearing for the petitioner and learned Special Government appearing for the respondents.

4. Taking note of the submissions made by the learned counsel for the petitioner, this Court, without going into the merits of the claim made by the petitioner, directs the ***4th respondent**, to consider the representation of the petitioner dated 14.10.2015 and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of the order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS-IV)
dt.23.2.17

***Amended as per order of this
court dt.8.3.17 and made herein
sd/-
Assistant Registrar (CS-III)
dt.7.4.2017**

//True Copy//

Sub-Assistant Registrar

To

1. The Commissioner
Hindu Religious and Charitable
Endowments Department,
Mahatma Gandhi Road, Chennai 600 034.
2. The Joint Commissioner
Hindu Religious and Charitable
Endowments Department,
Villupuram.
3. The Asst.Commissioner,
Hindu Religious and Charitable Endowments Department,
Cuddalore.
4. The Executive Officer,
Arulmighu Thiruchopura Nathar Temple,
Thiruchopuram, Thiyagavalli Post,
Cuddalore District.

***To be substituted to
the order already
despatched on 9.3.17.**

+1 CC to Mr. R. Selvakumar, Advocate sr 5619
+1 CC to The Govt. Pleader, High Court, Madras sr 5922

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