

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2017

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.30983 of 2016
and WMP.No.26864 of 2016

Kottai Sree Periya Mariyamman
Charitable Trust
Rep.by its Founder,
S.Ranjini Senthil @ S.Senthil Kumar

.. Petitioner

Versus

- 1.The Commissioner,
Hindu Religious and Charitable,
Endowment Department,
Nungambakkam High Road,
Chennai 636 0034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable,
Endowment Department, Salem.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department, Salem.
- 4.The Executive Officer,
Arulmighu Kottai Mariyamman Temple,
Salem.
- 5.N.Subramanian (Contractor)
- 6.N.Subramanian(Contractor) .. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation dated 30.08.2016 for issuance of the Blue Print of the construction plan to the petitioner or to be noticed in the temple premises before demolition or modifying the Sanctum Santorum of this Shree Kottai Mariyamman Temple, Salem.

For Petitioner : Mr.S.Senthilkumar

For R1to R4 : Mr.M.Maharaja (H.R.& C.E.)
Spl.Govt.Pleader

For R5 : Mr.R.Bharanidharan

O R D E R

Today, when the matter is taken up for hearing, it is brought to the notice of this Court by the learned Special Government Pleader that the First Bench has constituted a Committee and has produced the same, which is evident in W.P.No.574 of 2015 dated 07.11.2016. For ready reference, the relevant committee is extracted hereunder:

- i) Structural Engineering Expert: Dr.Arun Menon,
Assistant Professor
Structural Engineering Lab,
IIT
- ii) Archaeological Expert : M/s.Maheswari
Superintending Archaeologist
- iii) Conservation Expert : Mr.Sathyamoorthy
- iv) Traditional Sthapathi : Padmashri Muthiah Sthapathi
- v) Two Agama Experts i) Sri.Stala Shayana Bhattacharyar
(Vaikhanasa Agama Vidvan
Vyakarna Shiromani), Poondhur,
Kadukkalur Village, Cheyyur Taluk,
Kanchipuram District.
Mob.No.77807 10131
ii) Dr.S.Arunasundaram, M.A.,
M.Phil, Ph.D
(Shaivagama) Assistant Professor of
Vyakarana, The Madras Sanskrit
College, Mylapore.
Mob.No.94436 60480.
E-mail:
arunasundaram@rocketmail.com
- vi) Member Secretary - Additional Commissioner (Thiruppani),
Hindu Religious & Charitable
Endowments Department.

2. The petitioner has earlier approached this Court by way of a Writ Petition in W.P.No.28909 of 2015 seeking direction to the respondents not to demolish the original structure of the Sanctum Sactorium. This Court, disposed of the said Writ Petition by giving certain directions on 15.09.2015.

3. A perusal of the earlier order dated 02.09.2016 in this Writ Petition would go to show that the learned counsel for the petitioner has submitted that under the guise of doing renovation work, the main Sanctum sought to be demolished and is utter violation of the orders dated 30.11.2015 and 05.07.2016 passed in W.P.No.574 of 2015 by the Hon'ble First Bench of this Court. Subsequently by way of an interim measure this Court directed the respondents 1 to 4 to carry out the renovation work except the Sanctum.

4. In view of the submission made by the learned Special Government Pleader appearing for the respondents, this Court directs the petitioner to approach the concerned committee by way of representation addressing all his grievances and the said committee shall take decision as directed by the First Bench with regard to renovation.

5. In view of the same, no further order is necessary and resultantly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

kkd
To

1.The Commissioner,
Hindu Religious and Charitable,
Endowment Department,
Nungambakkam High Road,
Chennai 636 0034.

2.The Joint Commissioner,
Hindu Religious and Charitable,
Endowment Department, Salem.

3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department, Salem.

4.The Executive Officer,
Arulmighu Kottai Mariyamman Temple,
Salem.

+1cc to M/s.R.Karthikeyan,Advocate sr.9006

+1cc to Government Pleader,High Court,Madras.sr.9286

+1cc to Mr.K.S.Senthil Kumar,Advocate sr.9184(24/4/2017)

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and WMP.No.26864 of 2016

rsk(co)
ss(14/3/2017)