



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.08.2017
CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.10129 of 2015

M.Murugan

.. Petitioner

Vs.

1. The State of Tamil Nadu rep. by the Secretary,
Hindu Religious and Charitable Endowments
Department, Secretariat, Chennai.
2. The Commissioner,
H.R. & C.E. (Administration),
Nungambakkam High Road,
Chennai.
3. The District Collector,
Collectorate, Theni.
4. The Executive Officer,
Arulmigu Gowmariamman Thirukovil,
Office of the HR&CE Board,
Veerapandi, Theni District.

.. 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 permanently remove all the private advertisement/sign/flex boards within the temple premises and in and around 200 metres of boundary of Arulmigu Gowmariamman Thirukoil at Veerapandi and direct the respondents not to allow the same in future.

For Petitioner

: Mr.M.Vetrivelmurugan

For Respondents 1 to 3

: Mr.J.Gunaseelan Muthaiah,
Government Advocate.

For Respondent No.4

: Mr.M.Karuppasamy Pandian

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents to remove all the private advertisement/sign/flex boards within the temple premises and in and around 200 metres of boundary of Arulmigu Gowmariamman Thirukoil at Veerapandi and also direct the respondents not to



allow the same in future.

2. According to the petitioner, in and around and within the temple premises of Arulmigu Gowmariamman Thirukoil at Veerapandi, so many advertisements and flex boards have been erected by the private business agencies and traders, which causes hindrance to the worshippers. Therefore, the petitioner made a representation to the respondents, seeking to remove the same. Since, the same has not been considered, the petitioner is before this Court with the aforesaid prayer.

3. In the counter affidavit filed by the second respondent, it is, among other things, stated that before receiving the representation from the petitioner, the fourth respondent has removed all the unauthorized flex boards, which had been erected in and around 200 metres of the temple.

4. The fourth respondent filed the counter affidavit denying the allegations made by the petitioner and stated that the fourth respondent removed the flex board erected by the petitioner before the temple premises and due to wreck vengeance, the petitioner has filed this writ petition and the fourth respondent has also given an undertaking to the effect that in future if any requisition for erecting flex boards received from private authorities or individuals, the same would be placed before the second respondent for approval.

5. Heard both sides.

6. The main prayer sought for by the petitioner is to remove all the private advertisement/sign/flex boards within the temple premises and in and around 200 meters of boundary of Arulmigu Gowmariamman Thirukoil at Veerapandi. It is submitted on the side of the fourth respondent that the fourth respondent has removed all the unauthorized flex boards, which had been erected in and around 200 metres of the temple, before receiving the representation from the petitioner and the fourth respondent has also given an undertaking to the effect that in future the requisition for erection of flex boards received from private authorities or individuals, would be placed before the second respondent, who is the competent authority, for approval. Therefore, the prayer sought for by the petitioner in the writ petition has become infructuous and accordingly, the writ petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/



To

1. The Secretary,
Hindu Religious and Charitable Endowments
Department, Government of Tamil Nadu,
Secretariat, Chennai.

2. The Commissioner,
H.R. & C.E. (Administration),
Nungambakkam High Road,
Chennai.

3. The District Collector,
Collectorate, Theni.

4. The Executive Officer,
Arulmigu Gowmariamman Thirukovil,
Office of the HR&CE Board,
Veerapandi, Theni District.

+1cc to Mr.M.Vetrivelmurugan, Advocate in SR.No.72742
+1cc to Mr.M.Karuppasamy Pandian, Advocate in SR.No.72732
+1cc to The Special Government Pleader in SR.No.73056

smn

AE/KK/SAR2/30.08.2017/3P/8C

ORDER MADE IN
W.P(MD)No.10129 of 2015
17.08.2017