



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

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W.P (MD) No.12275 of 2017

P.M.Jagadish Pandian

.. Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments
Administrative Department, Madurai - 625 001.

2. The Executive Officer,
Arulmigu Pandi Muneeswarar Kovil,
Melamadaï, Madurai.

3. The Fit Person,
Arulmigu Pandi Muneeswarar Kovil,
Melamadaï, 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 exercise the poojari rights in Arulmigu Pandi Muneeswarar Kovil, Melamadaï, Madurai as a heir of Periannan @ Mahamuni Poojari in consideration of petitioner's representation dated 30.06.2016.

For Petitioner	: Mr.G.Prabhu Rajadurai
For Respondent No.1	: Mr.C.Selvaraj, Special Government Pleader.
For Respondents 2 and 3	: Mr.VR.Shanmuganathan, Special Government Pleader.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents to permit the petitioner to exercise the poojari rights in Arulmigu Pandi Muneeswarar Kovil, Melamadaï, Madurai as a heir of Periannan @ Mahamuni Poojari, on the basis of representation, dated 30.06.2016.

2.Mr.C.Selvaraj, learned Special Government Pleader, takes notice for the first respondent and Mr.VR.Shanmuganathan, learned Special Government Pleader, takes notice for the respondents 2 and 3.

<https://hcservices.ecourts.gov.in/hcservices/>

3.By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.



4. Heard both sides.

5. The petitioner made a representation dated 30.06.2016, to the respondents 1 and 2 to permit him to exercise the poojari rights in Arulmigu Pandi Muneeswarar Kovil, Melamadaï, Madurai.

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6. The learned Counsel for the petitioner would submit that it would be suffice, if the representation of the petitioner dated 30.06.2016, is disposed of by the first respondent as per law.

7. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 30.06.2016, and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order. If any third party will be affected by the nature of the relief sought for by the petitioner or by any order to be passed, the authority shall hear such person to avoid the allegations of violation of principles of natural justice.

8. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments
Administrative Department, Madurai - 625 001.
2. The Executive Officer,
Arulmigu Pandi Muneeswarar Kovil,
Melamadaï, Madurai.
3. The Fit Person,
Arulmigu Pandi Muneeswarar Kovil,
Melamadaï, Madurai.

+1cc to Mr.G.Prabhu Rajadurai, Advocate Sr.No.63393

+1cc to The Spl.Government Pleader SR.No.63315

SMN

VB/SKN/RSK/SAR1/07.07.2017/2P/6C