



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2017

CORAM:

THE HONOURABLE **MR. JUSTICE K. RAVICHANDRABAABU**

W.P. (MD) No.1236 of 2017

R. Balakrishnan

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious & Charitable
Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkan,
Chennai - 34.

2. The Joint Commissioner,
Hindu Religious & Charitable
Endowments Department,
No.1, West Chithirai Street,
Madurai.

3. The Fit Person,
A/m. Vinayagar Veerabadrasamy Temple,
Samayanallur,
Madurai District,
Having office at the Premises of
A/m. Thandayuthapani Temple,
West Masi Street, Madurai.

4. The Executive Officer,
A/M. Vinayagar Veerabadrasamy Temple,
Samayanallur,
Madurai District.
Having office at the premises of
A/m. Mathana Gopalasamy Temple,
West Masi Street, Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to grant permission to celebrate Vaikasi Utshavam Festival in the Tamil month of Vaikasi of Heyvilambi Tamil Year in A/m. Vinayagar Veerabadrasamy Temple situated at Samayanallur, Madurai on the basis of the representation, dated 16.11.2016 and 28.12.2016 given by the petitioner.



For Petitioner : Mr.P.Sivasubramanian
For R-1 & R-2 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader
For R-3 & R-4 : Mr.S.Manohar

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O R D E R

Mr.T.S.Mohammed Mohideen, learned Additional Government Pleader takes notice for respondent Nos.1 and 2 and Mr.S.Manohar, learned counsel takes notice for respondent Nos.3 and 4.

2. By consent of parties, the main Writ Petition itself is taken up for final disposal.

3. The petitioner seeks for a direction to the respondents to grant permission to celebrate Vaikasi Utshavam Festival at A/m.Vinayagar Veerabadrasamy Temple situated at Samayanallur, Madurai District, based on his representations, dated 16.11.2016 and 28.12.2016.

4. Mr.S.Manohar, the learned counsel, who takes notice for respondent Nos.3 and 4 submitted that the fourth respondent has already sent a report to the second respondent in pursuant to the representation given by the petitioner and therefore, it is for the second respondent to pass orders. This Court, at this stage, is not expressing any view on the claim made by the petitioner as it is for the second respondent to consider and decide, based on the representation of the petitioner as well as the report submitted by the fourth respondent.

5. Accordingly, this Writ Petition is disposed of only with a direction to the second respondent to consider the representations of the petitioner, dated 16.11.2016 and 28.12.2016 and pass orders on the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No Costs.

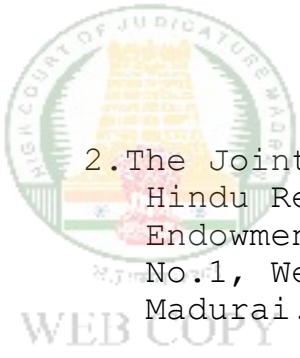
Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner,
Hindu Religious & Charitable
Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 34.



2.The Joint Commissioner,
Hindu Religious & Charitable
Endowments Department,
No.1, West Chithirai Street,
Madurai.

+1 cc to Mr. P.SIVA SUBRAMANIAM, Advocate, Sr.No: 4117

+1 cc to Mr. S.MANO HAR , Advocate, Sr.No: 4438

+1cc to M/S Special Government Pleader, Sr No. 4530

MAS/SV-MMS:13.02.2017:3P/6C

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25.01.2017