



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.14336 of 2017

Palanichamy

... Petitioner

Vs.

The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Dindigul.

... Respondent

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to grant permission to conduct the Temple Thiruvizha festivals scheduled to be conducted on from 13.09.2017 to 16.09.2017 of Sri Arulmighu Karandamalai Ayyanar temple, Sri Muthukaruppannasamy temple, Karayamman and Mayalayamman temple situated at Sethur Village, Natham Taluk, Dindigul District, on the basis of the representation given by the petitioner dated 18.07.2017.

For Petitioner : Mr.B.Jameel Arasu
For Respondent : Mr.M.Alagathevan,
Special Government Pleader

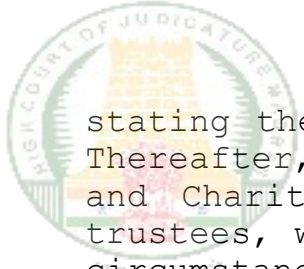
ORDER

The petitioner seeks for a Writ of Mandamus, directing the respondent to grant permission to conduct the Temple festivals, based on his representation dated 18.07.2017.

2. Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondent.

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

4. According to the petitioner, though the respondent herein has granted permission to the petitioner, to conduct Thiruvizha in Sri Arulmighu Karandamalai Ayyanar temple, Sri Muthukaruppannasamy temple, Karayamman and Mayalayamman temple situated at Sethur Village, Natham Taluk, Dindigul District, from 22.06.2016 to 23.07.2016, the same was not utilized by the petitioner, due to the objections raised by the other trustees. Now, the said function is scheduled to be held from 13.09.2017 to 16.09.2017. Subsequent to such announcement, the other trustees approached the respondent,



stating their right over the temple, which was ended in a failure. Thereafter, appeal before the Joint Commissioner, Hindu Religious and Charitable Endowments Board, came to be filed by the other trustees, which was also dismissed as not-maintainable. Under such circumstances, the petitioner sent a representation to the respondent dated 18.07.2017, to grant permission to conduct the Thiruvizha function from 13.09.2017 to 16.09.2017, in the aforesaid temples. As the same has not been considered by the respondent so far, the petitioner is before this Court.

5. Considering the facts and circumstances of the case, this Court, without going into the merits of the petitioner's claim, directs the respondent to consider the representation of the petitioner dated 18.07.2017 and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Dindigul.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.70162

+1cc to Mr.B.JAMEEL ARASU Advocate in SR. No.69941

GK

JS/SKN.RSK/SAR.1/8.8.2017/2P-4C

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