

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 21.09.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. (MD) No.17813 of 2017

T.Deepan

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowment,
Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai - 625 001.
3. The Executive Officer,
Arulmigu Swayambu Saneeswara Bhagavan Thirukovil,
Kuchanur,
Theni District.
4. The Fit Person,
Arulmigu Swayambu Saneeswara Bhagavan Thirukovil,
Kuchanur,
Theni District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 11.05.2017 and appoint me as poojari in Saneeswarar Sannathi of Arulmigu Swayambu Saneeswara Bhagavan Thirukovil at Kuchanur in the place of temporary poojari within the time fixed by this Honourable Court.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.M.Alagathevan,
Special Government Pleader
for R.1 & R.2

ORDER

By consent, this writ petition itself is taken up for disposal. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents 1 & 2.



2. The petitioner, who had completed Junior Saiva Archagar Training Course conducted by HR & CE Department, claiming hereditary poojariship in the temple in question, submitted various representations before the authorities concerned and thereafter, he was informed that necessary notification will be issued as and when a vacancy arises and if he submits an application, at that time, the same will be considered, on merits. Therefore, the petitioner was under the legitimate expectation that necessary notification will be issued by the authorities, in this connection, but to his shock and surprise, the authorities appointed some third person as a poojari to the temple in question, which constrained the petitioner to file one another representation dated 11.05.2017, which is said to be pending, without any action. Aggrieved thereby, the petitioner is before this Court.

3. When the matter is taken up for hearing, the learned Counsel for the petitioner submitted that it would suffice, if his representation is disposed of by the respondent, in the manner known to law, within a stipulated time period.

4. Considering the limited scope of the relief now sought for, this Court, without going into the merits of the case, directs the first & second respondents to consider the representation of the petitioner dated 11.05.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as the third respondent and all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order. On the said date of hearing, the petitioner shall appear before the respondents 1 & 2, failing which, it is open to the respondents to proceed further, with the materials available on record, in the manner known to law.

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

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner,

<https://hcservices.hcmrtds.gov.in/Services>
Hindu Religious and Charitable Endowment,
Chennai.



2. The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai - 625 001.

+1 cc TO Mr.RR.Kannan , Advocate in SR No. 80447

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AE/SV MMS/SAR1/03.10.2017/3P/4C

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