



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P.(MD) Nos.4249 & 4250 of 2017 and

W.M.P. (MD) Nos.3388 & 3389 of 2017

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1. V.Rakkavelar ... Petitioner in W.P.(MD) 4249 of 2017
2. Karayandi ... Petitioner in W.P.(MD) 4250 of 2017

-vs-

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Virudhunagar.
4. The Inspector,
Hindu Religious and Charitable Endowments Department,
Aruppukottai, Virudhunagar District.
5. S.Selvarani ...Common Respondents

***(R5 impleaded vide order of this Court dated 06.09.2017
in W.M.P. (MD) 12982 of 2017 in W.P. (MD) No.4250 of 2017)***

Prayer in W.P. (MD) No.4249/2017: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to permit the petitioner to discharge his duties as a Hereditary Trustee of Arulmighu Sree Murugayyanar temple situated at Veerakudi Village Tiruchuli Taluk Virudhunagar District and to take appropriate action to elect the Managing Trustee of the said temple in accordance with law and pass such other orders as this Hon'ble Court.

Prayer in W.P. (MD) No.4250/2017: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to ensure that the petitioner and his community people are permitted to enter and worship the deities in the temple known as Arulmigh Sree Karaimel Murugayyanar Temple, situated at Veerakudi Village, Tiruchuli Taluk, Virudhunagar District on the basis of the representation given by the petitioner dated 09.02.2017.



For Petitioners in both WP's : Mr.B.Jameel Arasu
For R1 to R4 in both WP's : Mr.J.Gunaseelan Muthiah
Govt. Advocate
For R5 in both WP's : Mr.M.Karthikeya Venkitachalapathy

COMMON ORDER

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The writ petition in W.P.(MD) No.4249 2017 has been filed, seeking a direction to the respondents herein to permit the petitioner to discharge his duties as a Hereditary Trustee of Arulmighu Sree Murugayyanar temple situated at Veerakudi Village Tiruchuli Taluk Virudhunagar District and to take appropriate action to elect the Managing Trustee of the said temple in accordance with law.

2. In W.P.(MD) No.4250 of 2017, the petitioner seeks a direction to the respondents to ensure that the petitioner and his community people are permitted to enter and worship the deities in the temple known as Arulmigh Sree Karaimel Murugayyanar Temple, situated at Veerakudi Village, Tiruchuli Taluk, Virudhunagar District on the basis of the representation given by the petitioner dated 09.02.2017.

3. Heard the learned counsel for the parties.

4. Since the issue involved in these two writ petitions is one and the same, both these petitions are taken up together for final disposal. For the sake of brevity, the facts are being taken up from W.P.(MD) No.4249 of 2017, in which, the case of the petitioner is that he has been prevented from functioning as a Hereditary Trustee by the 5th respondent, which forced him to submit a representation dated 22.11.2016 to the respondents 1 to 4. Pursuant to the same, the Joint Commissioner / 2nd respondent herein directed the Assistant Commissioner / 3rd respondent to conduct a thorough enquiry into the matter. It is the further case of the petitioner that though the petitioner as well as the fifth respondent appeared before the 3rd respondent, the fate of the enquiry is not known, as no order has been passed on the enquiry. Aggrieved by the same, the petitioner is before this Court.

5. At this juncture, the learned counsel for the petitioners and the learned counsel for the 5th respondent have jointly submitted that it would suffice, if the third respondent is directed to pass appropriate orders on the enquiry conducted as per the direction issued by the 2nd respondent.

6. In view of the above submissions, these petitions are disposed of, directing the third respondent to complete the enquiry and pass necessary orders thereon within a period of six months from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioners and the fifth respondent, so as to enable them to place their submissions



and produce relevant material evidences for consideration. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

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/True Copy/

Sub Assistant Registrar

To:

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Virudhunagar.
4. The Inspector,
Hindu Religious and Charitable Endowments Department,
Aruppukottai, Virudhunagar District.

+2ccs to M/S.B.JAMEEL ARASU, Advocate SR.Nos.77621,77627

+1cc to M/S.M.Karthikeya Venkitachalapathy, Advocate SR.No.77221

+1cc to Special Government Pleader, SR.No.77307,77705

AR

MAS/KP/SAR3:21.09.2017:3P-9C

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06.09.2017