



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.01.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE K. RAVICHANDRA BAABU

W.P(MD)No.82 of 2017

Siva.M.Chelladurai.

.. Petitioner

vs.

1.The Commissioner,

Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Road,
Thirumurthy Nagar, Nungambakkam,
Chennai-600006.

2.The Joint Commissioner

Hindu Religious and Charitable Endowments Department,
Palayamkottai, Tirunelveli District.

3.The Assistant Commissioner,

Hindu Religious and Charitable Endowments Department,
Palayamkottai, Tirunelveli District.

4.The Executive Officer,

Arulmigu Chinthamani Nathar Thirukoil,
No. 120 C, Veerana Naidu Street,
Vasuthevanallur, Tirunelveli District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a writ of Mandamus directing the respondents herein to permit the petitioner to perform religious duty as recognized Othuvar at Arulmigu Chinthamani Nathar Thirukoil, Vasuthevanallur, Tirunelveli District without any hindrance by considering the representation dated 24.12.2016.

For Petitioner : Mr. C.Senthil Murugan

For R1 to R3 : Mr. A.Muthukarupan
Additional Government Pleader

O R D E R

The petitioner, who claims to be a Othuvar at Arulmigu Chinthamani Nathar Thirukoil, Vasuthevanallur, Tirunelveli District, made a representation on 24.12.2016 seeking permission to perform religious duty as recognized Othuvar at Arulmigu Chinthamani Nathar Thirukoil, Vasuthevanallur, Tirunelveli District without any hindrance.



2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3. Whether the petitioner is a recognized 'Othuvar' and functioning in such capacity at the abovesaid temple is a question that has to be considered and decided only by the fourth respondent and therefore, this Court, at this stage, is not expressing any view on the claim made by the petitioner. However, as he has made a representation on 24.12.2016, it is for the fourth respondent to consider the same and pass orders on merits and in accordance with law. Such exercise shall be done by the fourth respondent within a period of four weeks from the date of receipt of copy of this order.

4. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To,

1. The Commissioner, Hindu Religious and Charitable Endowments Department, No.119, Uthamar Gandhi Road, Thirumurthy Nagar, Nungambakkam, Chennai-600006.
2. The Joint Commissioner, Hindu Religious and Charitable Endowments Department, Palayamkottai, Tirunelveli District.
3. The Assistant Commissioner, Hindu Religious and Charitable Endowments Department, Palayamkottai, Tirunelveli District.
4. The Executive Officer,
Arulmigu Chinthamani Nathar Thirukoil,
No. 120 C, Veerana Naidu Street,
Vasuthevanallur, Tirunelveli District.

+1cc to Mr.C.Senthil Murugan, Advocate in SR No.762
+1cc to the Spl.Govt.Pleader in SR No.843

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04.01.2017