



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2017

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.19866 of 2016

1.A.Sengai
2.S.Narayanan
3.A.Muthu Krishnan
4.A.Alagar
5.A.Elangovan

... Petitioners

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai-34.

2.The Joint Commissioner,
Hindu regligious and Charitable
Endowments Department,
sivagangai

3.The Fit Person,
Arulmigu Thandeeswarar Iyyanar Temple,
Keelarangiyam,
Thirupuvanam Taluk,
Sivagangai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India o issue a Writ of Mandamus directing the 3rd respondent herein to consider the representation of the petitioners dated 24.02.2016 and 19.09.2016 and direct the 3rd respondent to permit the Petitioners to complete the remaining plastering and painting works in the Mandapam with a cost of Rs.1,80,000/- out of the petitioners own funds in Arulmigu Thandeeswarar Iyyanar Temple situated at Keelarangiyam, Thirupuvanam Taluk, Sivagangai District within a time frame that may be stipulated by this Court.

For Petitioner : Mr.R.R.Kannan
for Mr.C.Guhaseelarupan
For Respondents : Mr.T.S.Mohammed Mohideen
Addl. Government Pleader

**ORDER**

The petitioners seek for a direction to the third respondent to consider their representation, dated 24.02.2016 and 19.09.2016, wherein and whereby they sought permission of the third respondent to complete the remaining plastering and painting works in the Mandapam, with a cost of Rs.1,80,000/- out of the petitioners' own funds, in Arulmigu Thandeeswarar Iyyanar Temple situated at Keelarangiyam, Thirupuvanam Taluk, Sivagangai District.

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

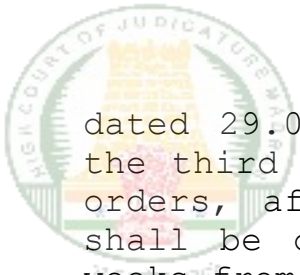
3. It is stated that Arulmigu Thandeeswarar Iyyanar Temple originally existed as private temple was subsequently taken over by the H.R and C.E., Department. Thus, the said temple is under the control and management of the H.R and C.E., Department and the third respondent is the Fit Person appointed to the said temple.

4. It is the claim of the petitioners that even before such taking over, they started the renovation work of the temple and executed the same in part. Thus, it is claimed by the petitioners that they have to complete the remaining renovation work of plastering and painting of the Mandapam at a cost of Rs.1,80,000/- which the petitioners undertake to spend out of their own fund without claiming any money from the department. It is also claimed by the petitioners that they will not affix any board indicating their contribution.

5. It is seen from the proceedings of the second respondent, dated 29.02.2016 that such request made by the petitioners was already recommended by the second respondent to the third respondent. It is stated that the third respondent has not so far taken any steps to act on the petitioners' request in the light of the recommendation already made by the second respondent, dated 29.02.2016.

6. The learned Additional Government Pleader fairly submitted that the request of the petitioners will be considered by the third respondent in the light of the recommendation made by the second respondent as stated supra, after giving an opportunity of hearing to the rival claimants, if any.

7. Considering the above-stated facts and circumstances, this case is disposed of by directing the third respondent to consider the request of the petitioners and pass orders taking note of the recommendation already made by the second respondent,



dated 29.02.2016. Needless to say that if any rival claimants, the third respondent will look into the same and pass appropriate orders, after hearing all the parties concerned. Such exercise shall be done by the third respondent, within a period of four weeks from the date of receipt of a copy of this order. No costs.

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/True Copy/

Sd/-

Assistant Registrar (CS-I)

Sub Assistant Registrar

skn

To

1.The Commissioner, Hindu Religious and Charitable
Endowments Department, Chennai-34.

2.The Joint Commissioner, Hindu regligious and Charitable
Endowments Department, sivagangai

3.The Fit Person, Arulmigu Thandeeswarar Iyyanar Temple,
Keelarangiyam, Thirupuvanam Taluk,
Sivagangai District.

+2CC to Dr.C.Guhaseelarupan, Advocate Sr.No.6638

+1CC to Spl.Government Pleader Sr.No.6931

GJM/CM/MSA/21.2.17-3p-7C

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