

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.3757 of 2018

Azhagan Adiyaargal Arakkattalai
No.76, Sivasubramaniya Swamy Koil Street,
Saidapet, Chennai-600 015.
Represented by its Founder
K.Namachivayam, S/o.Kalathi

... Petitioner

Vs.

1.The Commissioner
Hindu Religious & Charitable Endowments Board
119, Uththamar Gandhi Road,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner
Hindu Religious & Charitable Endowments Board
119, Uththamar Gandhi Road,
Nungambakkam, Chennai-600 034.

3.V.Senthurpandian
Fit Person
Arumigu Sivasubramaniya Swamy Thirukkoil
Senguntha Kottam
43, Vaathiyaar Subbarayan Street,
Saidapet, Chennai-600 015.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner Trust letter dated 27.01.2018 seeking permission to the petitioner Trust to provide Anna Dhaanam directly to the Devotees on the auspicious day of Sri Vallinayaki Tirukkalyanam to be celebrated by 3rd respondent temple on 04.03.2018, during the Temple Annual Festival, 2018, which was done in the preceding years.

For Petitioner	: Mr.E.Venkatesan
For Respondents	: Mr.M.Maharaja
	Special Government Pleader

O R D E R

Mr.M.Maharaja, learned Special Government Pleader takes notice for the respondents. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to consider the request made by the petitioner Trust dated 27.01.2018, seeking permission to the petitioner Trust to provide Anna Dhaanam directly to the devotees on the auspicious day of Sri Vallinayaki Tirukkalyanam to be celebrated at the third respondent Temple on 04.03.2018, during the Temple Annual festival, 2018.

3. Heard both sides.

4. The petitioner claims to be a Charitable Trust, created for the purpose of doing religious service in the Hindu Temples. It is stated that the petitioner Trust made a fixed deposit of Rs.2,10,000/- (Rupees Two Lakhs and Ten Thousand Only) in the name of the third respondent Temple account for the purpose of providing Anna Dhaanam on the 13th day of the Temple Bramotsavam Festival, during the Tamil Month of Maasi. It is further stated that the interest accrued from the said deposit would be handed over to the Trust by the fit person of the Temple for utilising the said amount for providing Anna Dhaanam. It is further stated that during the year 2016-2017, the fit person had handed over the said amount by way of cheques to the petitioner Trust for doing the Anna Dhaanam. Likewise, for the present year, the petitioner seeks for providing the interest amount accrued from such deposit for the purpose of doing Anna Dhaanam. However, it is stated that the third respondent instead of providing interest amount to the petitioner, directed the petitioner to pay further sum of Rs.80,000/- to the Temple for doing Anna Dhaanam on their own.

5. It is seen that the petitioner has already made a representation / explanation / letter dated 27.01.2018, to the third respondent ventilating their grievance. Therefore, it is for the third respondent to consider the said request of the petitioner and take appropriate action, also by considering the manner in which the said Anna Dhaanam was conducted in the previous years. Therefore, this writ petition is disposed of, only by directing the third respondent to consider the request

of the petitioner and pass appropriate orders on or before 26.02.2018. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

mk

To

1.The Commissioner

Hindu Religious & Charitable Endowments Board
119, Uththamar Gandhi Road,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner

Hindu Religious & Charitable Endowments Board
119, Uththamar Gandhi Road,
Nungambakkam, Chennai-600 034.

3.V.Senthurpandian, Fit Person

Arumigu Sivasubramaniya Swamy Thirukkoil
Senguntha Kottam
43, Vaathiyaar Subbarayan Street,
Saidapet, Chennai-600 015.

+1 cc to the Govt Pleader sr 12918

+2 ccs to Mr.E.Venkatesan Advocate sr 12666

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aa20/02/2018

सत्यमेव जयते

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