



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.11.2018
CORAM
THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

WEB COPY

W.P.No.28343 of 2018
and WMP.No.33050 of 2018

V.P.Sabapathi

.. Petitioner

Vs

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Dr.Balasundaram Salai,
Coimbatore 641 018.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments, Coimbatore 641 018.

3.The Executive Officer,
Arulmighu Angalamman Mariamman Temple,
Pollachi Town and Circle,
Coimbatore District.

4.Karthiban

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the first respondent to pass orders of the revision filed on 08.10.2018 in R.P.No.1 of 2018 pending on the file of the 1st respondent within a time frame.

For Petitioner : Mr.C.P.Prasanan

For R1 and R2 : Mr.M.Maharaja
Spl.Govt.Pleader (H.R. & C.E.)

For R3 : Mr.R.Rajesh Vivekananthan

For R4 : Ms.V.S.Usharani

ORDER

The petitioner has come up with this writ petition seeking a direction to the first respondent to pass orders on the revision filed on 08.10.2018 in R.P.No.1 of 2018 pending on the file of the 1st respondent.

2. According to the learned counsel for the petitioner, the petitioner is the hereditary trustee of " Alukkusamiyar



Thirukkovil" Vettaikaranpudur, Udayankulam Village, Pollachi Taluk. The petitioner's father who was one of the devotees of Alukkusamiyar, constructed the Samadhi on the day of the death of Alukkusamiyar over the land on which he was set to rest. He constructed a temple over the Samadhi in the year 1931 and performed Kumbabashhegam out of his own funds. After the petitioner's father died in the year 1971, the petitioner has been continuing to perform all the Poojas right. In the year 2009, the petitioner sought permission from the 1st respondent through his letter dated 23.07.2009 to perform Kumbabishegam, which was granted by the 1st respondent.

3. The petitioner had filed an application in O.A.No.28 of 2015 for declaration that he is the hereditary trustee of the temple and till date, it is pending. In the mean time, some persons have filed an application in O.A.No.28 of 2015 to implead themselves as parties. During the pendency of the said application, the 2nd respondent has passed an order dated 18.09.2018 in Se.Mu.Ka.No.3460/2018/A4 appointing the 3rd respondent herein as the Executive Officer of the temple. Thereafter, the petitioner has filed the revision petition on 08.10.2018 before the 1st respondent to set aside the order dated 18.09.2018. But, the same is yet to be disposed of by the first respondent. Hence, the petitioner is before this Court.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel for the petitioner, this Court without expressing any opinion on the merits of the revision petition, directs the first respondent to dispose the petitioner's Revision Petition dated 08.10.2018 made in R.P.No.1 of 2018 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and fourth respondent herein and also affording due opportunity of hearing to the petitioner, fourth respondent as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kkd



To

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Dr.Balasundaram Salai,
Coimbatore 641 018.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments, Coimbatore 641 018.

3.The Executive Officer,
Arulmighu Angalamman Mariamman Temple,
Pollachi Town and Circle,
Coimbatore District.

+1cc to Mr.Rajesh Vivekananthan, Advocate, S.R.No.78704

+1cc to Mr.C.R.Prasanan, Advocate, S.R.No.78678

+1cc to Mr.V.S.Usha Rani, Advocate, S.R.No.78571

W.P.No.28343 of 2018
and WMP.No.33050 of 2018

MG(CO)

rrs 27/12/2018