

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 11.02.2019

CORAM
THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.3940 of 2019
and
W.M.P.Nos.4372 & 4374 of 2019

1. K.Ravichandran
2. P.Madesh
3. P.Ashokan
4. P.Kaliyappan
5. R.Kalimuthu
6. R.Gopalakrishnan
7. A.Madaiyan
8. A.Kandasamy
9. A.Annamalai

... Petitioners

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 34.
2. The Joint Commissioner,
HR & CE,
319, Thirugnanasambandar Street,
SBI Colony,
Salem - 636 004.
3. The Assistant Commissioner,
HR & CE,
Kottai Mariyamman Kovil Campus,
Salem - 636 001
4. The Inspector (Meetur Circle)
HR & CE,
Kottai Mariymman Kovil Campus,
Salem - 636 001.

...Respondents

Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner representation dated 28.01.2019 and dispose the same within a date fixed by this Court.

For Petitioner : Mr.K.N.Selvabharathi

For Respondents : Mr.M.Maharaja,
Special Government Pleader

O R D E R

The petitioners are seeking for a Mandamus to direct the respondents to consider their representation dated 28.01.2019, wherein and whereby, they made certain complaint against some third parties in enjoying certain rights conferred by the Temple on those persons during the festival time, specifically by claiming that the petitioners are entitled to get such right.

2. The grievance of the petitioners is that the said representation has not been considered so far.

3. However, perusal of the materials placed before this Court would show that already a Civil Suit filed by the petitioners father seeking for the relief of declaration to declare the hereditary trusteeship right of the subject matter Temple and the consequential permanent injunction is still pending before the Sub-Court, Sankari and therefore, it is for the petitioners to agitate the matter in the said Suit, where the HR & CE is also made as a party defendant, apart from other private defendants.

4. When such being the factual position, I do not think that the petitioners are justified in making a representation as stated supra and consequently, seeking for a direction from this Court, by way of filing the present writ petition to get the said representation disposed. Needless to say that it is for the petitioners to work out their remedy by way of filing appropriate interim application in the pending Suit, if they have any cause of action to do so. Hence, this Court finds no reason to entertain the writ petition. Therefore, this Writ Petition is dismissed without expressing any view on the merits of the claim made by the petitioners. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 34.

2. The Joint Commissioner,
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Kottai Mariyamman Kovil Campus,
Salem - 636 001

4. The Inspector (Meetur Circle)
HR & CE,
Kottai Mariymman Kovil Campus,
Salem - 636 001.

+2ccs to Mr.K.N.Selvabharathi, Advocate, S.R.No.11686

W.P.No.3940 of 2019

GJ(CO)

rrs 11/02/2019