

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4337 of 2019

M.Ammasaiappan

...Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Coimbatore -18.

2.The Fit Person,
A/M.Aadhi Karuvannarayar
Bommar Thevar Temple,
The Executive Officer,
A/M.Venugopalsamy Temple,
Sathyamangalam Taluk,
Erode District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent herein to dispose O.A.No.2 of 2017 within time framed manner and also directing the 1st respondent herein to accord permission to petitioner for conducting annual festival commencing from 2nd week of February 2019 peacefully.

For Petitioner : Mr.V.P.K.Gowtham

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

O R D E R

The petitioner seeks for the following relief:

To direct the 1st respondent herein to dispose O.A.No.2 of 2017 within time framed manner and also directing the 1st respondent herein to accord permission to petitioner for conducting annual festival commencing from 2nd week of February, 2019 peacefully.

2. The petitioner filed O.A.No.2 of 2017 before the 1st respondent for recognizing the trusteeship as Hereditary under Section 63 (B) of the Hindu Religious and Charitable Endowment

Act,1959, in respect of the subject matter temple viz., Aadhi Karuvannarayar Bommar Thevar Temple situated in Kajakatti Valley. During the pendency of the said O.A., the petitioner sought for permission before the 1st respondent to conduct annual festival commencing on 19.02.2019 to 20.02.2019. Since, the said request has not been considered, the present Writ Petition is filed with the above relief.

3. The learned Special Government Pleader appearing for the respondents submitted that since the festival time was already over, the 1st respondent may be directed to dispose of the said O.A. on merits and in accordance with law, after hearing all the parties concerned.

4. Therefore, without expressing any view on the merits of the contention raised by the petitioner, this Writ Petition is disposed of only by directing the 1st respondent to dispose of the said O.A.No.2 of 2017 on merits and in accordance with law, after hearing all the parties concerned, within a period of four months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CS-IV)

//True copy//

Sub Assistant Registrar

gsi/vsi

To

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Coimbatore -18.

2.The Fit Person,
A/M.Aadhi Karuvannarayar
Bommar Thevar Temple,
The Executive Officer,
A/M.Venugopalsamy Temple,
Sathyamangalam Taluk,
Erode District.

+1cc to Government Pleader SR.No.20040

W.P.No.4337 of 2019

GJ II(CO)
GMY(03/04/2019)