

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :19.06.2019
CORAM
THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU
W.P. No. 16992 of 2019
and
W.M.P. Nos. 16553 and 16555 of 2019

Kaushik N. Sharma

... Petitioner

-vs-

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
No. 119, Uthamar Gandhi Salai,
Thousand Lights West,
Nungambakkam,
Chennai - 600 034.
2. Dharma Paripalana Sabha,
Hereditary Trustee of
Sri Anantha Padmanabha Swami Temple,
2, II Main Road, Gandhi Nagar,
Adayar,
Chennai - 600 020.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the Respondents from performing the Sixth Jeernodharana Maha Kumbabishekam of Sri Anantha Padmanabha Swami Temple on 20.06.2019.

For Petitioner : Mr. Kaushik N. Sharma (Party-in-person)

For Respondents: Mr. M. Maharaja,
Special Government Pleader (for R1)

Mr. M. Sukumar, (for R2)

O R D E R

Heard Mr. Kaushik N. Sharma, who has appeared party-in-person, Mr. M. Maharaja, Learned Special Government Pleader appearing for the First Respondent and Mr. M. Sukumar, Learned Counsel appearing for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who claims to be a devotee of Sri Anantha Padmanabha Swamy Temple at Adyar in Chennai, has filed this Writ Petition to prevent the Respondents from performing the Sixth

Jeernodharana Maha Kumbabhishekam of that Temple on 20.06.2019 on the ground that 12 years had not lapsed from the date of previous Kumbabhishekam and that none of the idols have been damaged requiring action by the Temple Authorities for repairing the same.

3. It has been pointed out by the Learned Counsel appearing for the Respondents that the Agamas do not prescribe any condition that Kumbabhishekam could be conducted only after lapse of 12 years from the previous consecration though it is usual practice to conduct the same after a gap of 12 years. It is further pointed out from the proceedings dated 24.03.2019 before the Inspector of Hindu Religious and Charitable Endowments Department that there are damaged portions of the Temple which require immediate repairs to the building of the Temple.

4. The decisions cited by the Petitioner in Sona. Krishnamoorthy -vs- Commissioner, HR & CE Department [(2009) 3 LW 873] and Pakshi Sivarajans -vs- State of Tamil Nadu (Order dated 07.01.2016 in W.P. (MD) Nos. 23256 and 23305 of 2015), far from supporting his contentions, clearly reiterates the legal position that such issues raised are not capable of being examined on any judicially prescribed standards or parameters.

5. In that view of the matter, there is no justification to exercise the discretionary powers of this Court under Article 226 of the Constitution in favour of the Petitioner at this distance of time, when the decision to repair the damaged portions of the Temple had been taken as early as 24.03.2019 and the same has been completed in order to conduct the Kumbabhishekam on 20.06.2019 (Tomorrow).

6. The Writ Petition stands dismissed with the aforesaid observations. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

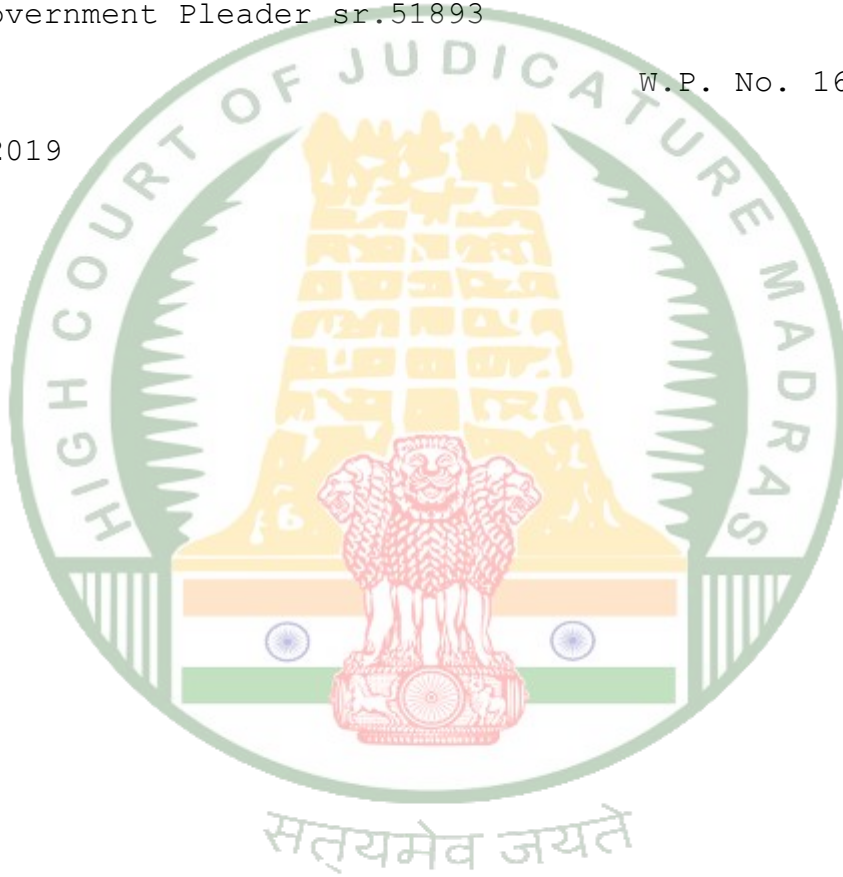
1. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
No. 119, Uthamar Gandhi Salai,
Thousand Lights West,
Nungambakkam,
Chennai - 600 034.

+1cc to Mr. Kaushik N. Sharma, Advocate sr.51087

+1cc to Government Pleader sr.51893

W.P. No. 16992 of 2019

nr 14/10/2019



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