



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P. (MD) No. 12927 of 2019
and

W.M.P. (MD) No. 9636 of 2019

T. Mahalingam

.. Petitioner

Vs.

1. The Commissioner,
Hindu Religious Charitable Endowment Board,
Chennai.

2. The Joint Commissioner,
Hindu Religious Charitable Endowment Board,
Trichy.

3. The Assistant Commissioner,
Hindu Religious Charitable Endowment Board,
Trichy - 5.

4. The Inspector,
Hindu Religious Charitable Endowment Board,
Mannachanallur, Trichy East,
Trichy.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, forbearing the respondents from changing the character of the Arulmighu Sri Aladi Neelamega Karuppu Temple, situated at Appathurai Village, Lalgudi Taluk, Trichy District, till the disposal of O.A.No.2 of 2019, on the file of the second respondent.

For Petitioner	: Mr. T. Lenin Kumar
For Respondents	: Mr. A. Thiagarajan Government Advocate

ORDER

The prayer sought for in this Writ Petition is, to forbear the respondents from changing the character of the Arulmighu Sri Aladi Neelamega Karuppu Temple, situated at Appathurai Village, Lalgudi Taluk, Trichy District, till the disposal of O.A.No.2 of 2019, on the file of the second respondent.



2. Heard Mr.T.Lenin Kumar, learned counsel appearing for the petitioner and Mr.A.Thiagarajan, learned Government Advocate appearing for the respondents.

3. The learned counsel appearing for the petitioner would submit that, in respect of the temple viz., Arulmighu Sri Aladi Neelamega Karuppu, situated at Appathurai Village, Lalgudi Taluk, Trichy District, which is more than 150 years old, the petitioner already approached the concerned authority to frame a scheme to manage the temple.

4. However, at this juncture, without deciding the same, behind the back of the petitioner, the respondents want to proceed further to declare the temple as a H.R. & C.E. Temple and in this regard, the petitioner has given a representation on 28.05.2019 to the second respondent and if the said representation is directed to be considered and based on which, after hearing the petitioner and the other stakeholders, if any decision is taken by the second respondent, the petitioner would be satisfied.

5. The learned Government Advocate would submit that the said request of the petitioner, dated 28.05.2019, would be considered and thereafter, a decision would be taken on the subject matter on merits and in accordance with law, within a time frame to be stipulated by this Court.

6. Considering the factual matrix and the relief sought for herein, this Court is inclined to pass the following order:-

The second respondent shall consider the representation of the petitioner, dated 28.05.2019 and accordingly, decide the issue as to the character of the said temple and in this regard, if necessary, personal hearing can also be given to the petitioner and the other stakeholders and ultimately, the second respondent shall pass orders on the issue on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AE)

/ True Copy /

Sub Assistant Registrar (CS-II)

smn2

To

1. The Commissioner,

<https://hcservices.ecourts.gov.in/hcservices/>

Hindu Religious Charitable Endowment Board,
Chennai.



2.The Joint Commissioner,
Hindu Religious Charitable Endowment Board,
Trichy.

3.The Assistant Commissioner,
Hindu Religious Charitable Endowment Board,
Trichy - 5.

4.The Inspector,
Hindu Religious Charitable Endowment Board,
Mannachanallur, Trichy East,
Trichy.

+1 CC to M/s.T.LENIN KUMAR, Advocate
(SR-67467[F] dated 07/06/2019)

+1 CC to M/s.SPL GP (SR-67608[F] dated 10/06/2019)

W.P. (MD) No.12927 of 2019

ES/10.06.2019/5P/7C