



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.12954 of 2019

Arumugam, S/o.Periyampillai

.. Petitioner

Vs.

1.The Assistant Commissioner,
Assistant Commissioner Office,
Hindu Religious and Charitable Endowment Board,
Paramakudi,
Ramanathapuram District.

2.The Joint Commissioner,
Joint Commissioner Office,
Hindu Religious and Charitable Endowment Board,
Sivagangai District,
Sivagangai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 20.04.2019 and 25.04.2019 for forming the Trustee to Shri Andhranachiamman Temple, Tenkarai, Sivagangai District, according to H.R. & C.E. Act, within a stipulated period that may be fixed by this Court.

For Petitioner : Mr.P.Aju Tagore

For Respondents : Mr.A.Thiagarajan
Government Advocate

ORDER

The prayer sought for in this Writ Petition is, to direct the respondents to consider the petitioner's representations, dated 20.04.2019 and 25.04.2019, for forming the Trustee to Shri Andhranachiamman Temple, Tenkarai, Sivagangai District, according to H.R. & C.E. Act, within a stipulated period, that may be fixed by this Court.

2.Heard Mr.P.Aju Tagore, 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, with regard to the festival to be conducted for the Village temple, called 'Shri Andhranachiamman Temple', situated at Tenkarai, Sivagangai District, the petitioner has given a representation to the first respondent on 20.04.2019 and to the second respondent on 25.04.2019 and if the said representations would be considered by the respondents, after hearing all the stakeholders and representatives of various communities of the Villages concerned and thereafter, a decision is taken by the respondents, the petitioner would be satisfied.

4.The learned Government Advocate would point out that since there is likelihood of any communal tension, as the right to perform festival in the said Temple, as claimed by one particular community, which is opposed by some other communities in that Village, with the help of revenue people and the police people, accordingly, an amicable comprehensive acceptable solution has been taken by the respondents. Therefore, the representation of the petitioner would be considered and accordingly, a comprehensive decision would be taken to the satisfaction of all sect of people concerned.

5.I have considered the said submissions made by the learned counsel appearing for the parties and in view of the same, this Court is inclined to pass the following order:-

(i) The respondents, especially, the second respondent shall consider the representations of the petitioner, dated 20.04.2019 and 25.04.2019 along with input supplied by the other stakeholders, which include the representatives of all communities resided in that locality/Village with the help of revenue and police department people and accordingly, an amicable comprehensive acceptable solution can be arrived by the respondents Department with regard to conducting festival to the subject temple.

(ii) The aforesaid exercise shall be undertaken by the respondents, especially, the second respondent, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Assistant Commissioner,
Assistant Commissioner Office,
Hindu Religious and Charitable Endowment Board,
Paramakudi,
Ramanathapuram District.

2. The Joint Commissioner,
Joint Commissioner Office,
Hindu Religious and Charitable Endowment Board,
Sivagangai District,
Sivagangai.

+1CC TO MR.P.AJUTAGORE, Advocate Sr. No.67481

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.67602

W.P. (MD) No.12954 of 2019

SE(CO)

TR (14.06.2019) 3P 5C