



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 5224 of 2019

Palanisamy

... Petitioner

Vs.

1. The Joint Commissioner,
H.R.&C.E. Department, Trichy.

2. The Executive Officer,
H.R.&C.E. Department,
Arulmigu Bairavanathar Temple,
Peyal Village, Iluppur Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order in Na.Ka.No.6103/2018/Aa4 dated 03.07.2018 passed by the first respondent and quash the same and consequently direct the first respondent to allot the 4th day Mandagapadi or any other day Mandagapadi for every year in Arulmigu Bairavanathar Temple situated at Peyal Village, Kilikudi Union, Iluppur Taluk, Pudukkottai and pass orders within a time frame stipulated by this Court.

For Petitioner	: Mr.E.Balasubramanian
For R-1	: Mr.K.M.Karuppasamy, Government Advocate
For R-2	: Mr.G.Madhavan

O R D E R

Heard the learned counsel on either side.

2. The Writ petitioner questions the order dated 03.07.2018 issued by the first respondent. The first respondent has only stated that the temple festival should not be stopped, merely because some individual issues have been raised. The said order does not call for any interference. The first respondent has rightly observed that it is open to the parties concerned to work out their rights in the manner known to law and under no circumstances, the temple festival should be stopped.

3. I find no ground to interfere with the order impugned in this Writ petition. This Writ petition stands dismissed, accordingly.



4. It appears that the petitioner's claim for allotting "Mandagapadi" was negatived by the first respondent. The petitioner will have to avail the remedy under the Tamil Nadu Hindu Religious and Charitable Endowments Act 1959, for establishing the said right. The dismissal of this Writ petition will not come in the way of the Writ petitioner from establishing his right. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar()

To

1. The Joint Commissioner,
H.R.&C.E. Department, Trichy.
2. The Executive Officer,
H.R.&C.E. Department,
Arulmigu Bairavanathar Temple,
Peyal Village, Iluppur Taluk,
Pudikkottai District.

- +1. C.C. To Mr.G.Madhavan Advocate SR.No.52129
- +1. C.C. To Mr.E.Balasubramanian Advocate SR.No.52205
- +1. C.C. to Special Government Pleader SR.No.52427

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KK/SAR- /03.04.2019/2P/6C