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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 15.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.9161 of 2019

and

W.M.P (MD) .No.7133 of 2019

Selva Rajakumar

... Petitioner

Vs

The Executive Officer,
Arulmigu Sri Kallalagar Soundaraja
Perumal Swamy Temple,
Alagar Kovil, Madurai District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to receive the fees from the petitioner for conducting Thirukkan Mandagapadi at Door No.75, Alagar Kovil Road, Goripalayam, Madurai-625002 for the Chithra Pournami festival of Arulmigu Sri Kallalaar Soundaraja Perumal Swamy Temple, Alagarkovil for the year, 2019.

For Petitioner : Mr.J.Barathan
For Respondent : Mr.V.Chandrasekar

ORDER

Heard the learned counsel on either side.

2. The writ petitioner has raised quite a few controversial issues and it is not proposed to delve into the same for the present. They are left open to be thrashed out in independent proceedings.

3. The issue on hand is whether the respondent should be directed to accept Mandagapadi fees from the writ petitioner for performance of the petition mentioned Mandagapadi.

4. The learned standing counsel appearing for the respondent temple pointed out that even though the property has endowed for the performance of the Mandagapadi, the trustees have been alienating the same and that is why, fit person has been appointed.

5. The learned counsel appearing for the petitioner states that the petitioner is not a party to any such alienation and he would give a further undertaking that the petitioner would never be a party to any act of alienation of an endowed property.

6. Recording the said undertaking, this Court directs the



respondent to accept the fees from the writ petitioner for conducting the petition mentioned Mandagapadi from 18.04.2019 to 23.04.2019. The direction shall be complied with by the respondent without prejudice to their claims against the endowment in question.

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7. With this clarification, this Writ petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar(CS)

TO

The Executive Officer,
Arulmigu Sri Kallalagar Soundaraja
Perumal Swamy Temple,
Alagar Kovil, Madurai District.

W.P. (MD) No. 9161 of 2019

RMK

KK/SAR/15.04.2019/ 2P- 2C