



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2019

CORAM:

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

W.P. (MD) No.9169 of 2019

Vasanth Ramasamy

... Petitioner

Vs

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Ellish Nagar, Madurai 625 016.

2.The Deputy Commissioner/
Executive Officer,
A/M Kallazhagar Temple,
Alagar Kovil, Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to grant permission to petitioner to perform at the P.R.Narayana Iyyar Mandagapadi at 149, Alagar Kovil Main Road, Thallakulam, Madurai 20 as usual year for 18.04.2019 to 23.04.2019 as usual.

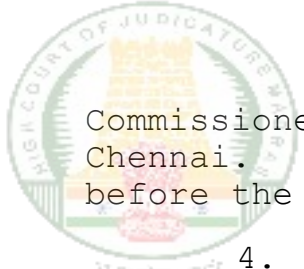
For Petitioner	: Mr.S.Balaji
For R1	: Mr.M.Rajarajan Government Advocate
For R2	: Mr.V.Chandrasekaran

ORDER

Heard the learned counsel on either side.

2. The petitioner submits that the petition mentioned Mandagapadi was founded by her forefather Diwan Bhagadur Late P.R.Narayana Iyer and that it was being performed by her husband during his lifetime. After he passed away, the petitioner is performing Mandagapadi. Since the respondent has declined to receive the fees from her, she was constrained to file this writ petition.

3. When the matter was taken up for hearing, the learned counsel appearing for the second respondent pointed out that the endowed properties have been illegally encumbered and alienated by the trustees of the endowment and that therefore, a fit person came to be appointed in the year 2003. The appointment of the fit person was unsuccessfully challenged by the trustee before the



Commissioner, Hindu Religious and Charitable Endowment Department, Chennai. Now, the challenge is pending in W.P.No.21603 of 2010 before the Hon'ble Principal Bench.

4. The learned Standing counsel appearing for the temple further pointed out that in O.A.No.9 of 2003 the petitioner herein filed I.A.No.11 of 2009 seeking the very same relief now sought for in this writ petition. The Joint Commissioner of the Hindu Religious and Charitable Endowment Department, Madurai, dismissed the said Interlocutory Application on 12.04.2019.

5. I am of the view that in view of the order passed by the Joint Commissioner, Hindu Religious and Charitable Endowment Department, Madurai, this writ petition may not be lie. It is for the petitioner to question the order dated 12.04.2019 in I.A.No.11 of 2019 in O.A.No.9 of 2003 and get relief. No relief can be granted in this writ petition. The Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Ellish Nagar, Madurai 625 016.

+1 CC to M/s.S.BALAJI, Advocate in SR-61061

+1 CC to M/s.SPECIAL GOVERNMENT PLEADER IN SR-61253

W.P. (MD) No.9169 of 2019
15.04.2019

RMK

PK/02.05.2019 : 2P/4C