



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2019

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI**

**W.P. (MD) No.22429 of 2019
and W.M.P. (MD) No.19217 of 2019**

M.Vemburaj

... Petitioner

-vs-

1.The Commissioner,
Hindu Religious & Charitable Endowment,
Nungambakkam,
Chennai - 600 034.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowment,
Thiruvanaikoil,
Trichy - 620 005.

3.The Assistant Commissioner,
Hindu Religious & Charitable Endowment,
Thiruvanaikoil,
Trichy - 620 005.

4.The Tahsildhar,
Thiruverumbur,
Trichy District.

5.Subramanian

6.S.Anbalagan

7.Mahalingam

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 to 3 to consider and pass orders on the Petitioner's representation dated 14.10.2019 for appointing fit person to administer Arulmigu Sri Muthu Mariamman Thirukoil, Thuvakudi within the time limit stipulated by this Hon'ble Court.



For Petitioner : Mr.K.Gurunathan
For Respondents 1 to 4 : Mr.A.Muthukaruppan
Additional Government Pleader

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O R D E R

[Order of the Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.K.Gurunathan, learned counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents 1 to 4.

2.By consent on either side, this Writ Petition itself is taken up for final disposal. In the light of the order we propose to pass herein, notice to the respondents 5 to 7 are dispensed with.

3.The petitioner and the respondents 5 to 7 and other group of persons are fighting with each other claiming right to administer the affairs of the temple, which is a village temple. From the documents filed, we find that right from the year 1999, when the festival of Kumbabisheham comes there is a problem in the locality and the Tahsildar is required to conduct a Peace Committee Meeting.

4.We are of the view that the Tahsildar has multifarious duties and responsibilities than to sit with the people who are fighting for administering the temple, where a considerable time has been spent by the Tahsildar and at many a time it is wasteful exercise as the people's ego is so high that they are not interested in the genuine worshipers, who come to offer their prayer in the religious institutions. The present case is a classical example of such ego clash.

5.The Tahsildar has to see that peace is prevailing in the locality so that the people are able to worship the deity. It appears that the Tahsildar has summoned both the parties to appear before him so that an amicable resolution to the dispute could be arrived at. However, the people who are so egoist have not responded to the notice. Hence, the petitioner seeks for a direction to the respondents 1 to 3 for appointing a Fit Person to administer the temple. We cannot issue such a direction, more so, on the facts and circumstances of the case. In the light of the above, the prayer sought for is rejected. However, to ensure peace in the locality, we direct the fourth respondent Tahsildar to fix a date and issue fresh notice to both the parties to appear before him for the Peace Committee Meeting. On the said date, if they fail to appear before him or no consensus is reached, he shall lock and seal the Temple and open the Temple only if peace prevails.



6.The Writ Petition stands disposed of with the above direction. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

sj

To

- 1.The Commissioner,
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Trichy - 620 005.
- 4.The Tahsildhar,
Thiruverumbur,
Trichy District.

+1CC TO MR.K.GURUNATHAN, Advocate Sr. No.93955

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 94133

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MR(CO)

TR(24.10.2019) 3P 7C