

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.02.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 2850 of 2020

M.Ammasaiappan

.. Petitioner

..Vs..

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Coimbatore - 18.

2. The Fit Person,
Arulmigu Adhi Karuvannarayar Bomma Thevar Temple,
The Executive Officer,
Arulmighu Venugopalasamy Temple,
Sathyamangalam Taluk,
Erode District.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to dispose of the O.A.No.2 of 2017 on the file of the 1st respondent on merits and also direct the 1st respondent herein to accord permission to the petitioner for conducting the annual temple festival on 07.03.2020, 08.03.2020 and 09.03.2020 peacefully based on the petitioner's representation, dated 23.01.2020.

For Petitioner : Mr.K.R.Samratt

For Respondents: Mr.M.Karthikeyan
Special Government Pleader

O R D E R

The writ petition has been filed in the nature of Mandamus, to direct the first respondent, namely The Joint Commissioner, Hindu Religious and Charitable Endowments Department, Coimbatore - 18, to dispose of the O.A.No.2 of 2017, which is pending on the file of the said officer.

2. In the affidavit filed in support of the writ petition, it is stated that Arulmigu Adhi Karuvannarayar Bomma Thevar Temple was founded by his ancestors around 200 years ago. Originally, the deity of the said temple was placed under a tree and was worshiped by petitioner's family members and was also worshiped by many people living nearby. The petitioner's grandfather one Karuppa Naicker put up a small hut and later he installed the present idol, replacing the old stone idol, and started to perform poojas and conducting annual festival during the Tamil month of "Maasi" every year. It is stated that the temple is situated at Naicker community area. It is also stated that for a considerable period of time, there were no interference from other parties. It is also stated that thereafter, the HR & CE Board had a role in the management and a fit person was also appointed on 10.02.2014. The Fit person has been impleaded as the second respondent in the present Writ Petition. As the second respondent was not properly organizing and conducting festivals, a writ petition in W.P.No. 3117 of 2017 was filed, and an order dated 09.02.2017 was passed, directing the petitioner to participate and conduct temple functions along with second respondent, fit person. It is stated that O.A.No. 2 of 2017 is pending before the first respondent, namely the Joint Commissioner, HR & CE. It is also stated that the temple festival will be conducted in the month of March, 2020. Therefore, a direction is sought against the first respondent to dispose of O.A.No. 2 of 2017.

3. Heard the learned counsel for the petitioner and also the learned Special Government Pleader who takes notice on behalf of the respondents.

4. Considering the above facts and circumstances of the case, this Court directs the first respondent to dispose of O.A.No. 2 of 2017, pending on the file of the 1st respondent in the manner known to law, on or before 21.02.2020.

5. Accordingly, the writ petition stands disposed of. No costs.

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

kmm

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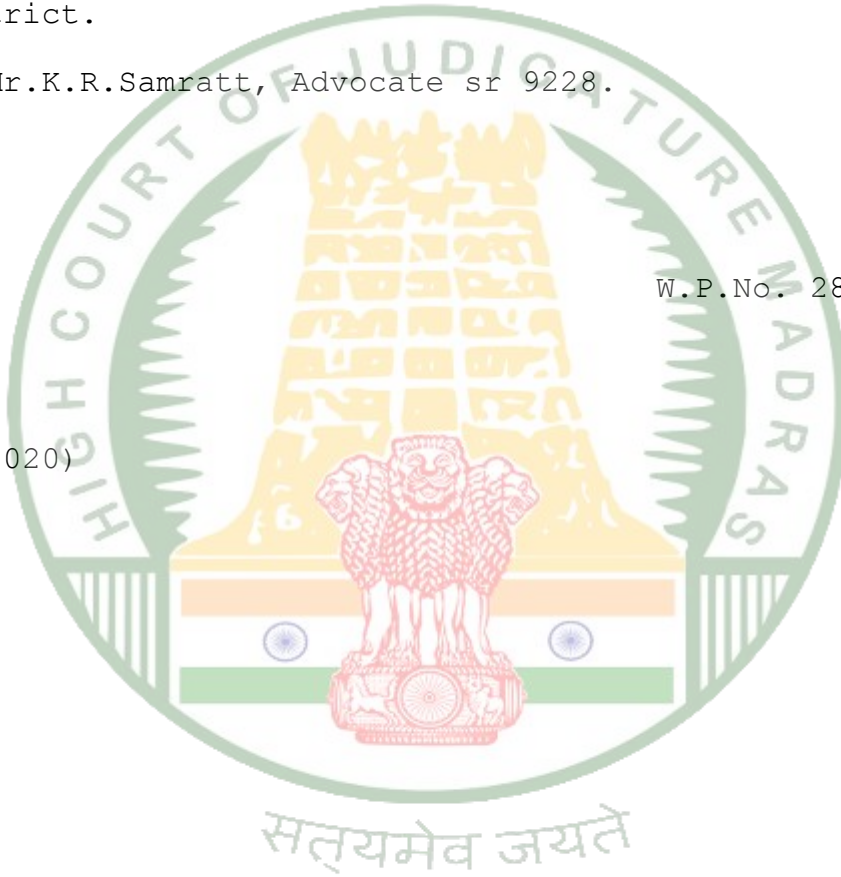
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+2 CC to Mr.K.R.Samratt, Advocate sr 9228.

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VSNI (CO)
SP (14/02/2020)



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