

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.03.2020

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.5735 of 2020

Mr.K.Gopal

...Petitioner

Vs

1. The Commissioner,
Hindu Religious & Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Thousand Lights West, Nungambakkam,
Chennai - 600 034.
2. The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
Salem - 636 001.
3. The Executive Officer,
Arulmighu Sri Sakthi Kaliyamman Temple,
Salem - 636 402.

.. Respondents

Prayer : PETITION filed under Article 226 of The Constitution of India praying for the issuance of Writ of Mandamus directing the 2nd and 3rd respondents to permit the petitioner to conduct the festival and other connected temple works in Arulmighu Sri Sakthi Kaliyamman Temple from 06.02.2020 to 09.02.2020 in accordance with the customary practice.

For Petitioner : Ms.B.Aparna

For Respondents : Mr.M.Karthikeyan,
Special Government Pleader

O R D E R

The prayer of the petitioner is for a mandamus seeking a direction to the second and third respondents, i.e, Assistant Commissioner, HR & CE Department and the Executive Officer, Arul-

mighu Sri Sakthi Kalliamman Koil Temple, Salem to permit the petitioner to conduct the festival and other connected works in Arulmighu Sri Sakthi Kalliamman Temple from 06.02.2020 to 09.02.2020 in accordance with the customary practice.

2. The petitioner claims to be a devotee. Though he is certainly entitled to participate in the festival itself as a devotee, he cannot claim any hereditary rights unless his claim to such rights are established in a manner known to law. The petitioner states that he has filed a representation in this regard on 10.02.2020 before the Joint Commissioner, HR & CE Department, Salem, who is not arrayed as a party in this Writ Petition.

3. Be that as it may, Mr. Karthikeyan, learned Special Government Pleader, who is armed with the instructions of the Executive Officer/R2, also present in Court, also confirms that the petitioner is entitled to pray, make his offerings and participate in the Temple festival as a devotee. This is recorded.

4. Thus, let the petitioner approach the respondents with a copy of his representation dated 10.02.2020 (since there is no acknowledgement available on file for having filed the same and the Executive Officer denies receipt thereof) and work out a mutually acceptable role for himself in the Temple festival.

5. With the above observation, this Writ Petition is disposed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Hindu Religious & Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Thousand Lights West, Nungambakkam,
Chennai - 600 034.

2. The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
Salem - 636 001.
3. The Executive Officer,
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MP (CO)
RPP (21/05/2020)



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