



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 02.09.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.6602 of 2017

and

W.M.P. (MD) Nos.5192 & 5193 of 2017

1.V.Veeramani

2.V.Veera Rajendran

... Petitioners

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Mahatma Gandhi Road,
Nungambakkam,
Chennai.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Madurai.

3.The Executive Officer,
A/M. Veerabadraswamy Temple,
Samayanallur,
Having office at
A/M.Madhana Gopal Swamy Thirukoil,
West Masi Street,
Madurai-625 001.

4.The Fit Person/Executive Officer,
A/M.Dhandayuthapani Temple,
Madurai Town.

5.S.S.Veeramani

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order of the third respondent dated 27.03.2017 and quash the same.

For Petitioner	:	Mr.P.Thiagarajan
For R1& R2	:	Mr.K.P.Narayanakumar Special Government Pleader
For R3	:	Mr.S.Manohar
For R5	:	Mr.S.Madhavan

**ORDER**

Heard the learned counsel on either side.

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2.The subject matter pertains to right to perform poojas in Arulmighu Vinayagar and Veerabadrasamy Temple at Samayanallur, Madurai North.

3.The petitioners question the impugned order dated 27.03.2020 passed by the Executive Officer of the Temple. On the very face of it, it is seen that even without hearing the petitioners herein, the impugned order has been straight away passed. Therefore, on the sole ground, it is liable to be set aside. It is accordingly set aside.

4.The learned counsel appearing for the fifth respondent states that he will file a fresh application within one week from the date of receipt of a copy of this order before the Joint Commissioner, HR & CE Department, Madurai, setting out his claims. The present petitioners will be shown as respondents by the fifth respondent herein in the proposed petition.

5.The second respondent will dispose of the matter on merits and in accordance with law within a period of eight weeks thereafter. Even though I have set aside the impugned order, in order to ensure that there is no confusion, status quo that obtains as on date will continue till the second respondent pass final orders. I make it clear that I have not gone into the merits of the matter. The second respondent will hear all the stakeholders including the Executive Officer before passing final orders.

6.The Writ Petition is allowed on these terms with the aforesaid direction. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rmi

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that

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the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To:

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Mahatma Gandhi Road,
Nungambakkam,
Chennai.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Madurai.

+1 CC to Mr.S. MANOHAR, Advocate (SR-15731[F] dated 03/09/2020)

+1 CC to Mr.P. THIYAGARAJAN, Advocate (SR-16017[F]dated
04/09/2020)

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02.09.2020

VB (11.09.2020) 3P 5C