



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

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THE HON'BLE Mr.JUSTICE M.SUNDAR

W.P.No.20437 of 2021

and

W.M.P.No.21700 of 2021

Harikesanallur Ariyanatha Swamy Temple
Rep. by its Fit person/Devotee
Mr.K.Venkatraman @ Harikesanallur Venkatraman
Son of Mr.Kuppusamy Iyyer
Door No.9/3, Veeraragavan Street
Nanganallur, Chennai.

...Petitioner

-Vs.-

1.The Commissioner
Hindu Religious & Charitable Endowments Department
119, Gandhi Salai
Chennai-600 034.

2.The Joint Commissioner
Hindu Religious & Charitable Endowments Department
Ambasamuthiram Taluk
Tirunelveli District.

3.The Superintending Archaeologist
Archaeological Survey of India
Chennai-600 009.

4.Ministry of Culture
Archaeological Survey of India
Room No.501, C-Wing, Shastri Bhawan
New Delhi - 110 155.

...Respondents

(Respondents 3 & 4 are deleted
vide order dated 24.09.2021 made
in W.P.No.20437 of 2021 and W.M.P.No.21700 of 2021)

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to renovate the temple namely, Sri Harikesanallur Ariyanatha Swamy Temple and conduct Kumbabishegam on an auspicious day fixed by the village people in consultation with the respondents at the earliest.



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For Petitioner : Mr.R.Singaravelan
Senior Advocate
for Mr.I.Saddam Hussain

For Respondent : Mr.NRR.Arun Natarajan
Government Advocate
for R1 & R2

RR3 & 4 : Given Up

O R D E R

Captioned writ petition and writ miscellaneous petition therein are listed in the Admission Board before me.

2. Mr.R.Singaravelan, learned Senior Advocate appearing on behalf of counsel on record for writ petitioner is before this Virtual Court.

3. At the outset, learned Senior counsel, on instructions from the counsel on record submits that owing to the limited prayer, respondents 3 & 4 can be given up in this writ petition. This submission is recorded and respondents 3 and 4 are deleted in this writ petition and writ miscellaneous petition therein.

4. Mr.NRR.Arun Natarajan, learned State counsel accepts notice on behalf of respondents 1 and 2.

5. Owing to the narrow scope of captioned writ petition, with the consent of both sides, the main writ petition is taken up.

6. All that the writ petitioner who says he is an ardent devotee qua 'Harikesanallur Sivan Temple in Harikesanallur Village, Ambasamudram Taluk, Tirunelveli District' [hereinafter 'said Temple' for the sake of convenience and clarity] wants is completion of renovation work in said temple which is an ancient temple. To be noted, learned Senior counsel submitted that writ petitioner is a person having interest qua said temple.

7. In the light of the fair stand taken by learned State counsel, it may not be necessary to dilate much on facts. Suffice to say that the learned State counsel submits (on instructions), that a total sum of Rs.1,34,13,000/- has been allotted for renovation and ultimate குடமுழுக்கு qua said Temple. Learned State counsel submits that out of various heads of work categorized under 11 heads, 10 heads of work are almost complete, only minimal works remain and this minimal works are likely to be completed in the next two months. Learned State counsel also submits that due to Corona Virus pandemic and



consequent lock down which is collectively referred to as 'Covid-19 situation' which none could portend or presage had slowed down the work.

8. As regards ultimate குடமுழுக்கு qua said Temple which is also referred to as 'கும்பாபிஷேகம்'. at the moment owing to Covid-19 situation such an event which may necessitate congregation has to be avoided and the same can be considered only after the situation eases.

9. Learned Senior counsel very fairly submits that the above stated position of the State draws the curtains on the captioned writ petition.

10. Learned State counsel submits that owing to the said Temple being an ancient temple, clearance of Heritage Committee was sought, the same was given and it is now pending with the Regional Committee i.e., Office of the Joint Commissioner, Hindu Religious and Charitable Endowments Department, Tirunelveli. Regional Committee shall do well to expedite the clearance. Registry to communicate a copy of this order to Regional Committee for necessary action.

11. In the light of the narrative and the trajectory the matter has taken, captioned Writ Petition is disposed of recording the stated position of respondents 1 and 2. Consequently, connected miscellaneous petition is disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner
Hindu Religious & Charitable Endowments Department
119, Gandhi Salai
Chennai-600 034.

2.The Joint Commissioner
Hindu Religious & Charitable Endowments Department
Ambasamuthiram Taluk
Tirunelveli District.



3. The Superintending Archaeologist,
Archaeological Survey of India,
Chennai - 9.

4. The Ministry of Culture,
Archaeological Survey of India,
Room 501, C Wing,
Shastri Bhawan,
New Delhi - 110 155.

5. The Regional Committee,
Office of the Joint Commissioner,
HR&CE Department,
Tirunelveli.

+1cc to Mr.I.Saddam Hussain, Advocate, S.R.No.49593
+1cc to the Government Pleader, S.R.No.49616

W.P.No.20437 of 2021
and
W.M.P.No.21700 of 2021

RR[co]
NSK 25/11/2021