



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.359 of 2021 and

W.M.P.(MD)No.280 of 2021

WEB COPY

P.Sathishkumar

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious & Charitable Endowment (HR&CE),
No.119, Uttamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

2. The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department,
Madurai.

3. The Executive Officer,
Sri Moongilanai Kamatchiamman temple,
Devathanapatti Post,
Periyakulam Taluk,
Theni District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to extend the petitioner's lease period for collection of removal Hair which is donated by the devotees in front of the third respondent temple by considering his representation dated 19.12.2020.

For Petitioner : Mr.S.Madhavan

For R-1 & R-2 : Mr.K.P.Narayanakumar,
Special Government Pleader.

For R-3 : Mr.Chandrasekar

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O R D E R

Heard the learned counsel on either side.

2. The petitioner was granted licence for collection of the removal hair in the third respondent temple for the period commencing from 08.02.2020 to 31.12.2020. He had also paid the auction amount. The stand of the petitioner is that because of the pandemic, he could not enjoy the licence fully. Therefore, he wants extension of the licence period.



3. The learned Special Government Pleader as well as the learned counsel appearing for the temple would point out that the main event was held from 22.02.2020 to 01.03.2020. Therefore, according to them, the petitioner was not at all affected by the pandemic.

4. I find the said contention raised by the learned counsel appearing for the respondents to be quite formidable. Therefore, it is not for this Court to pass any final order in favour of the petitioner. The authority can take a call in this matter. The third respondent is directed to dispose of the petition mentioned representation on merits and in accordance with law by taking note of the aforesaid objection raised by the respondents' counsel. Such decision will be taken within a period of three weeks from the date of receipt of a copy of this order.

5. This writ petition stands disposed of on these terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pmu

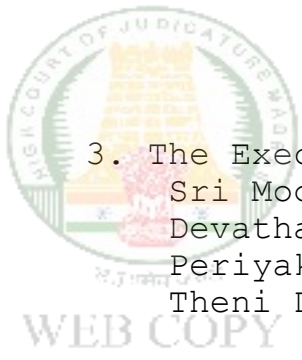
Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1. The Commissioner,
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No.119, Uttamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034.

2. The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
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<https://hcservices.ecourts.gov.in/hcservices/>



3. The Executive Officer,
Sri Moongilanai Kamatchiamman temple,
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Periyakulam Taluk,
Theni District.

W.P. (MD) No.359 of 2021

22.01.2021

MJ (CO)

NR (02/02/2021) 3P : 4C