



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD)No.909 of 2021

and

W.M.P. (MD)No.768 of 2021

WEB COPY

A.Chellappa Iyer
President,
Sri Subramaniya Swamy Thirukovil,
Kaingarya Thirisuthanthirargal Sabha,
No.15, 1st Lane Cross Street,
Tiruchendur-628 215,
Thoothukudi District.

... Petitioner

Vs.

1.The Joint Commissioner / Executive Officer,
Hindu Religious and Charitable Endowment Department,
Arulmigu Subramaniya Swamy Thirukoil,
Tiruchendur,
Thoothukudi District.

2.The Inspector of Police,
Temple Police Station,
Tiruchendur,
Thoothukudi District.

3.Shankaranarayanan @ Mannuli Shankar

4.Ganapathi @ Kannan (Yanaimuthan)

5.Hariharan @ Thandapani Hari

6.Seetharaman

7.Harishenbagaraja

8.Narayanan @ Kutty

9.Chithambaram

10.Viswanathan

11.S.Venkatesh Iyer

12.I.Nagarajan Iyer @ Highways

13.Subramanian (STD)

... Respondents



PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action as against the respondents 3 to 13 to ensure the smooth functioning of providing of Viboothi Prasatha Kaingaryam to devotees in front of Mayil Thevar Sannathi by Tiruchendur Sri Arulmigu Subramaniya Swamy Thirukovil Kaingarya Thirisuthanthirargal Sabha and to provide adequate necessary protections to the members (Kaingaryasthargal) of petitioner's sabha.

For Petitioner : Mr.R.Manimaran
For R1 : Mr.M.Muthugeethayan
Standing Counsel for HR and CE

ORDER

Heard the learned counsel for the petitioner.

2.The subject matter of the writ petition is essentially a private dispute between the petitioner Sabha on the one hand and the private respondents on the other. The issue cannot be decided by the Writ Court. The parties concerned may have to move the jurisdictional civil Court or the authorities constituted under the HR & CE Act. The Writ Petition is dismissed. I make it clear that I have not gone into the merits of the matter. The rights of the parties are left open. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

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

To

The Joint Commissioner / Executive Officer,
Hindu Religious and Charitable Endowment Department,
Arulmigu Subramaniya Swamy Thirukoil,
Tiruchendur,
Thoothukudi District.

<https://hcservices.ecourts.gov.in/hcservices/>



+1 CC to M/s.M.MUTHU GEETAIYAN, Advocate (SR-1738[F] dated 22/01/2021)

+1 CC to M/s.R.MANIMARAN, Advocate (SR-2063[F] dated 25/01/2021)

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MJ(CO)
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