



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11401 of 2021

and

W.M.P. (MD) .No.8913 of 2021

WEB COPY

Hariramkumar

...Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Paramakudi,
Ramanathapuram District. ...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to forbearing the second respondent and his men from interfering administration and maintenance of the petitioner family private temple called "Sri Malai Mandala Srinivasa Perumal Thirukovil" situated at Thiruppachetti, Thiruppuvanam Taluk, Sivagangai District.

For Petitioner : Mr.R.Murugappan
For Respondents : Mr.M.Lingadurai
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus forbearing the second respondent from interfering with the administration and maintenance of the Temple, which is claimed to be a private temple by the petitioner.

2. Heard Mr.R.Murugappan, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

3. The nature of grievance that has been expressed by the petitioner cannot be dealt with in a Writ Petition. The petitioner has to either approach a Civil Court and work out the remedy or the petitioner will have to file an appropriate petition under Section 63 (a) of the Hindu Religious and Charitable Endowments Act and seek for a declaration that the Temple is not a religious institution. Since these alternative remedies are available, this Court is not inclined to entertain this Writ Petition. Except giving this



liberty, no further orders can be passed in this Writ Petition.

4. The Writ Petition stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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 District Collector,
Sivagangai District,
Sivagangai.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Paramakudi,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-22083[F] dated 12/07/2021)

W.P. (MD) .No.11401 of 2021
09.07.2021

CM(CO)

LR (16.07.2021) 2P 4C