



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.17405 of 2021

M.Jegajothi

... Petitioner

Vs.

1.The Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department,
119, Uthamar Ganthi Salai,
Nungambakkam,
Chennai.

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

3.R.Rengaraja Udayar,
Hereditary Trustee,
Sri Hariharaputhiraswamy Temple,
Punjai Sangenthi,
Lalkudi Taluk,
Trichy.

4.The Executive Officer,
Sri Hariharaputhiraswamy Temple,
Punjai Sangenthi,
Lalkudi Taluk,
Trichy.

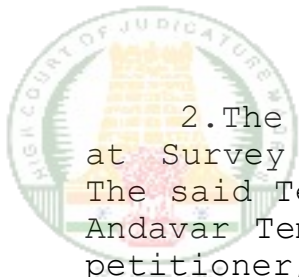
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider the representation dated 31.07.2021.

For Petitioner	:	Mr.S.Madhavan
For Respondents	:	Mr.P.Subbaraj
		Counsel for State

ORDER

The petitioner seeks the expeditious disposal of O.A.No.16 of 2015 which was filed under Section 64 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 before the second respondent.



2.The petitioner states that there are three Temples situated at Survey No.685/2, Sangenthi Village, Lalgudi, Trichy District. The said Temples are Sri Hariharaputhiraswamy Temple, Sri Duraiswamy Andavar Temple and Sri Madurai Veeraswamy Temple. According to the petitioner, the said Sri Duraiswamy Andavar Temple was founded by Vanniya Chettiar Community about 100 years ago and that this Temple is required to be administered in accordance with distinct Agama Rules. However, it is alleged that the third and fourth respondents have endeavoured to treat this Temple as a part of Sri Hariharaputhiraswamy Temple although the same would be contrary to the applicable Agama Rules. O.A.No.16 of 2015 was filed in this connection in 2015. The petitioner seeks the earlier disposal thereof.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of respondents 1 and 2. On instructions, he submits that one Mr.K.Venkataraman had filed an Interlocutory Application before the second respondent. As against the order passed therein, he filed Revision Petition No.20 of 2020 which is said to be pending before the Commissioner, Hindu Religious and Charitable Endowments Department. According to Mr.P.Subbaraj, the second respondent is unable to dispose of O.A.No.16 of 2015 in view of the pending Revision Petition.

4.Upon considering the submissions of the petitioner and the official respondents, the only impediment for the disposal of the pending petition before the second respondent is the pending Revision Petition. Accordingly, the second respondent is directed to consider and dispose of O.A.No.16 of 2015 within a period of three (3) months from the date of disposal of Revision Petition No.20 of 2020. Before disposing of O.A.No.16 of 2015, a reasonable opportunity should be provided to the petitioner and the private respondents herein.

5.Accordingly, W.P.(MD).No.17405 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/nsr

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



To

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+1 CC to M/s.SPL.GP (SR-30577[F] dated 29/09/2021)

W.P (MD) No.17405 of 2021
28.09.2021

NSN(CO)/RS (07.10.2021) 3P 6C