



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD) .No.19115 of 2021

R.Seeni Ayya

... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai - 600 034.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thanjavur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the first respondent to take immediate action that the Amma Mandapam situated in S.No.281/1 at Keela Ulur Village, Orathanadu Taluk to handover to Arulmigu Bhaskareswaraswamy Thirukoil administration at Parthiapparkoil Village, Orathanadu Taluk, Thanjavur District on the basis of the petitioner's representation dated 18.08.2021.

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

ORDER

The petitioner seeks a direction for handing over the Amma Mandapam situated in S.No.281/1 at Keela Ulur Village, Orathanadu Taluk to the Arulmigu Bhaskareswaraswamy Thirukoil administration.

2.The petitioner states that the above mentioned Temple is an ancient Temple. A marriage hall called Amma Mandapam was constructed through funds allocated through an Ex.M.P on land owned by the Temple. Therefore, the people of the Village desired that the Amma Mandapam should be brought under the control of the Temple. For such purpose, pursuant to an application submitted by the petitioner on 23.07.2021, the Joint Commissioner of the Hindu Religious and Charitable Endowments Department issued a recommendation to the Block Development Officer on 24.08.2021. Such



recommendation was for handing over the Mandapam to the Temple administration. The present Writ Petition is filed in view of the failure to act thereon.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the said communication was issued in view of the fact that Survey No.281/1 belongs to the Temple. He also submits that the petitioner's representation would be considered and disposed of within a reasonable time frame.

4.From the submissions set out above, it appears that the land in question belongs to the Temple but the funds for the construction of the Amma Mandapam came from funds allocated through funds made available to M.Ps Therefore, while considering the petitioner's representation seeking the handing over of the Mandapam to the Temple administration, the question as to who would be entitled to the revenue generated by the Kalyana Mandapam should be addressed.

5. Subject to the above observations, W.P.(MD).No.19115 of 2021 is disposed of by directing the first respondent to consider the petitioner's representation dated 18.08.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and the other stake holders. Such reasoned order shall be issued within a period of three (3) months from the date of receipt of a copy of this order. There will be no order as to costs.

Sd/-

Assistant Registrar (AD)

// 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 concerned.

To

1.The District Collector,
Thanjavur District,
Thanjavur.

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



2.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai - 600 034.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thanjavur.

+1 CC to M/s.S.KANAGARAJAN, Advocate (SR-33277[F] dated
29/10/2021)

+1 CC to M/s.SPL.GP (SR-33187[F] dated 29/10/2021)

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SAR(CO)
RS/JGB (16.11.2021) 3P 6C