



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P. [MD]No.5062 of 2016

and

W.M.P (MD) .No.4506 of 2016

WEB COPY

Arulmigu Sankaralinga Swami
Vagaiyara Devasthanam,
Rep. by its Managing Trustee.

: Petitioner

Vs.

1. The Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowments Board,
Nungambakkam, Chennai.

2. The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowments Board,
Tiruvendram Road,
Palayamkottai Road, Tirunelveli - 2.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents herein to consider the petitioner's representation dated 26.10.2015 and pass necessary orders for opening the filled HundiyaIs and thereafter permit the petitioner to remove the HundiyaIs in Arulmigu Sankaralinga Swamy Temple, Sri Tripurasundari Amman Temple and Sri Vinayagar Temple under the management of Arulmigu Sankaralinga Swami Vagaiyara Devasthanam (Denominational), Tenkasi within a time stipulated by this Court.

For Petitioner : Mr.S.Vashik Ali
for Mr.D.Nallathambi

For Respondents : Mr.A.Baskaran,
Additional Government Pleader

O R D E R

Mr.S.Vashik Ali, learned counsel representing the counsel on record for writ petitioner and Mr.A.Baskaran, learned Additional Government Pleader on behalf of both the respondents are before this Court.



2. Captioned writ petition turns on a short point. It pertains to 'Arulmigu Sankaralinga Swamy Temple, Sri Tripurasundari Amman Temple and Sri Vinayagar Temple in Tenkasi District' (hereafter 'said Temple' for the sake of convenience and clarity).

3. Case of the writ petitioner is that there is a decree that said Temple is a denominational temple, I refrain myself from expressing any opinion on this submission and I do not propose to delve into it owing to the limited prayer. The limited prayer is that the writ petitioner has sent a representation dated 24.02.2015 *inter alia* with a request to open the filled Hundiyls in the said Temple and thereafter remove the Hundiyls.

4. Learned State counsel, on instructions, submits that the writ petitioner has not submitted accounts and I refrain myself from expressing any opinion on this submission also, owing to the narrow compass on which the matter turns.

5. As the prayer is for a simple mandamus qua representation dated 24.02.2015, the first respondent is directed to consider, dispose of the representation of the writ petitioner on its own merits, in accordance with law as expeditiously as his/her business would permit and in any event within six weeks from today i.e., on or before 06.01.2022. The order/proceedings disposing of writ petitioner's representation shall be communicated to the writ petitioner under due acknowledgement within seven working days from the date of disposal.

6. Captioned writ petition is disposed of with the aforementioned simple directive. Consequently, connected miscellaneous petition is disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS I)

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/ /2021

Sub Assistant Registrar (CS)

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To

1. The Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowments Board,
Nungambakam, Chennai.

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



2. The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowments Board,
Tiruvendram Road,
Palayamkottai Road, Tirunelveli - 2.

WEB COPY

+1 CC to M/s.D. NALLATHAMBI, Advocate (SR-36220[F] dated
26/11/2021)

+1 CC to M/s.SPL GP (SR-36036[F] dated 26/11/2021)

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and

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PS (CO)

SB(02.12.2021) 3P 5C