



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P. [MD]No.5762 of 2016

K.Solai Naicker

... Petitioner

Vs.

The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Madurai - 1.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings of respondent vide A.Thi.Mu.02336/2016/E1, dated 21.03.2016 and quash the same and consequently direct the respondent to grant permission to the petitioner to participate and to get Mariyathai as representative of Solamma Naicker Vagaiyara viz Second Mariyathai in the Shri Kalliamman Temple festival situated in Kappalur Village, which going to be conducted from 25.03.2016 and 26.03.2016 in the light of order dated 08.04.2015 passed by this Court in W.P.(MD)No.5295 of 2015 and order dated 13.10.2015 passed by this Court in W.P.(MD)No.18713 of 2015.

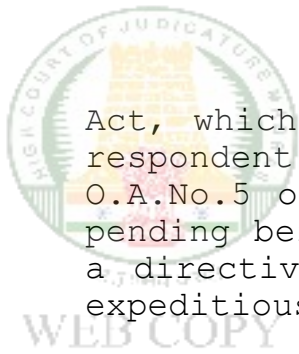
For Petitioner	: Mr.AL.Kannan for Mr.S.Manikandan
For Respondent	: Mr.S.R.A.Ramachandran Additional Government Pleader

O R D E R

Mr.AL.Kannan, learned Counsel representing the Counsel on record for the writ petitioner and Mr.S.R.A.Ramachandran, learned Additional Government Pleader for the lone respondent are before this Court.

2.This Court is informed that subject matter of captioned writ petition pertains to an honour in a temple. This Court is also informed that the temple concerned and the matter are governed by 'the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959)' {hereinafter 'TN HR & CE Act' for brevity}.

3.Learned Counsel representing the Counsel on record for the writ petitioner submits that notwithstanding the expansive prayer, he abridges the prayer ie., restricts the prayer to a simple request to dispose of an application under Section 63(e) of the TN HR & CE



Act, which has been made by the writ petitioner and which the lone respondent is in seizin of. In other words, an application ie., O.A.No.5 of 2014 under Section 63(e) of the TN HR & CE Act is now pending before the lone respondent and it would suffice if there is a directive to the lone respondent to dispose of this application expeditiously. To be noted, this is the abridged / limited prayer.

4.Learned State Counsel submits that the matter has to now take its legal course as the writ petitioner has approached the jurisdictional Joint Commissioner ie., the respondent.

5.In the light of the narrative thus far, captioned writ petition is disposed of with a simple directive to the lone respondent to dispose of O.A.No.5 of 2014 presented under Section 63 (e) of the TN HR & CE Act as expeditiously as the business of the lone respondent would permit and in any event, within three [3] months from today ie., on or before 19.02.2022. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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,
Hindu Religious and Charitable Endowments,
Madurai - 1.

+1 CC to M/s.SPL GP (SR-35336[F] dated 22/11/2021)

ORDER MADE IN
W.P. [MD]No.5762 of 2016
19.11.2021

PS (CO)
TR(29.11.2021) 2P 3C