



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.1123 of 2022
and
W.M.P.No.1177 of 2022

1.R.Periyanna Gounder

2.P.Subramanian

...Petitioners

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Tourism, Culture and Religious Endowments Department,
Fort St.George,
Chennai - 600 009.
2. The Commissioner,
Hindu Religious & Charitable Endowments Board,
Office of the Hindu Religious & Charitable Endowments Board,
Nungambakkam,
Chennai - 600 034.
3. The Joint Commissioner,
Hindu Religious & Charitable Endowments Board,
Erode Region,
Erode,
Erode District.
4. The Assistant Commissioner,
Hindu Religious & Charitable Endowments Board,
Namakkal,
Namakkal District.
5. The Thakkar-cum-Executive Officer
Arulmighu Athanur Amman Thirukoil,
Athanur, Rasipuram Taluk,
Namakkal District - 636 301.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents 1 to 4 to forthwith grant necessary



permission to the petitioners to install the newly made statues at Arulmighu Kallamalai Perumal Thirukkoil, Keeranur Village, Thottivalasu Panchayat, Rasipram Taluk, Namakkal District and consequently to conduct the Kumbabishegam in the said temple on a day fixed by the Hindu Religious and Charitable Endowments Board.

For Petitioners : Mr.K.Selvaraj
For Respondents : Mr.T.Chandrasekaran
Special Government Pleader
[H.R & C.E]

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 4 to forthwith grant necessary permission to the petitioners to install the newly made idols at Arumighu Kallamalai Perumal Thirukkoil, Keeranur Village, Thottivalasu Panchayat, Rasiputam Taluk, Namakkal District and consequently, conduct Kumbabishegam.

2. The petitioners state that they have made all necessary arrangements for installation of new Idols in the said temple. The petitioners state that after making necessary arrangements, the authorities are not granting permission and therefore, the petitioners are constrained to move the present writ petition.

3. The learned Special Government Pleader based on the written instructions from the fit person of the temple / 5th respondent in letter dated 26.01.2022 made a submission that now the petitioners are not the hereditary trustees of the temple. Some time back they managed the temple and that will not confer any right to seek for a direction for installation of new Idols. As of now the temple is under the control of the fit person and there are disputes between the two groups in the village for installation of new Idols and in respect of other issues. The authorities are initiating all steps to resolving the issues between the groups for the purpose of peaceful conduct of rituals and administration of the temple. Unless the disputes between the two groups are resolved, it may not be possible of the authorities to conduct the affairs of the temple in a peaceful manner as there would be a likelihood of law and order issues.

4. Therefore, the authorities are taking all sincere steps to resolve the issues for the purpose of running the temple administration in a peaceful manner. Once the issues between the groups are resolved then the authorities will be in a position to consider the request made by the petitioner by following the procedures as contemplated under the Acts and Rules and as per



the customs and practices prevailing in respect of the subject Temple.

5. With these observations, the Writ Petition stands disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Jeni/Cse

To

1. The Secretary,
The State of Tamil Nadu,
Tourism, Culture and Religious Endowments Department,
Fort St.George, Chennai - 600 009.
2. The Commissioner,
Hindu Religious & Charitable Endowments Board,
Office of the Hindu Religious & Charitable Endowments Board,
Nungambakkam, Chennai - 600 034.
3. The Joint Commissioner,
Hindu Religious & Charitable Endowments Board,
Erode Region, Erode, Erode District.
4. The Assistant Commissioner,
Hindu Religious & Charitable Endowments Board,
Namakkal, Namakkal District.
5. The Thakkar-cum-Executive Officer
Arulmighu Athanur Amman Thirukoil,
Athanur, Rasipuram Taluk,
Namakkal District - 636 301.

+1cc to Mr.K.Selvaraj, Advocate, S.R.No.4647
+1cc to the Government Pleader, S.R.No.4956

W.P.No.1123 of 2022

RR[co]
NSK 09/02/2022