



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2022

C O R A M

THE HON'BLE MS.JUSTICE V.M.VELUMANI

W.P.No.10079 of 2022

M.A.Subramaniam Poojari

...Petitioner

Vs

1. The Commissioner,
Hindu Religious and charitable Endowments Department,
Chennai - 600 034.
2. The Executive Officer / Fit Person,
(Executive Officer of Arulmigu Angalaparameshwari
Amman Thirukovil, Villupuram District)
Arulmighu Angalaparameshwari Amman Thirukovil,
Villupuram District - 604 204. ...Respondents

Prayer Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st respondent to consider the representation dated 04.03.2022 given by the petitioner claiming petitioner's rights in Kovil Urchavam at Shree Angalaparameshwari Amman Temple, Melmalayanur Village and Taluk, Villupuram District for the period till 14.08.2022 within the time frame fixed by this Court.

For Petitioner : Mr.M.Rajeswaran
for M/s.Nathan and Associates

For R1 : Mrs.M.Geetha Thamaraiselvan
Special Government Pleader

For R2 : Mr.S.Sithirai Anandam

ORDER

The petitioner has come out with the present Writ Petition for a direction to the 1st respondent to consider the representation dated 04.03.2022 given by the petitioner claiming petitioner's rights in Kovil Urchavam at Shree Angalaparameshwari Amman Temple, Melmalayanur Village and Taluk, Villupuram District for the period till 14.08.2022, within the time frame fixed by this Court.



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2. Heard the learned counsel appearing for the petitioner, learned Special Government Pleader appearing for the 1st respondent as well as learned counsel appearing for the 2nd respondent and perused the materials on record.

3. By consent of the learned counsel appearing for the petitioner, learned Special Government Pleader appearing for the 1st respondent as well as learned counsel appearing for the 2nd respondent, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. According to the petitioner, Angalaparameshwari Amman Temple, Melmalayanur Village and Taluk, Villupuram District is managed by the poojaris from seven families. The petitioner's family is 6th in line in doing poojas for Angalaparameshwari Amman Temple. The poojari from the family are incharge of the temple in rotation basis for one year. The poojaris are entitled to share the plate collection (Tattu Kanikai) and they are depending only on the said income. While so, the 2nd respondent was appointed to manage the temple and the 2nd respondent prevented the petitioner and others from getting their share of plate collection. Hence, the petitioner gave a representation on 04.03.2022 to the 2nd respondent to permit him to get his share. Since no order has been passed, the petitioner has come out with the present Writ Petition.

5. Mrs. M. Geetha Thamaraiselvan, learned Special Government Pleader appearing for the 1st respondent and Mr. S. Sithirai Ananadam, learned counsel appearing for the 2nd respondent submitted that the petitioner is only Assistant Poojari and not the main Poojari. For getting collection of Thattu Kanikai, he has to make an application under Section 63E of the Hindu Religious and Charitable Endowments Act to the Joint Commissioner, HR & CE Department, Perunthitta Valagam, Villupuram District. If he makes such an application, the same will be considered and necessary order will be passed.

6. Considering the above submissions and contention of the learned counsel appearing for the petitioner that his turn of Poojari starts from August 2021, the petitioner is directed to give an application under Section 63E of the Hindu Religious and Charitable Endowments Act to the Joint Commissioner, HR & CE Department, Perunthitta Valagam, Villupuram District within a period of one (1) week from the date of receipt of a copy of this order. If any such representation is made, the Joint Commissioner, HR & CE Department, Perunthitta Valagam, Villupuram District is directed to consider the same and pass orders on merits and in accordance with law within a period of two (2) weeks thereafter.



7. With the above directions, the Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To:

1. The Secretary,
Hindu Religious Institutions
Government of Puducherry,
Puducherry.
2. The Commissioner,
Hindu Religious Institutions and Wakf,
Government of Puducherry,
Puducherry.

+1cc to M/s.Nathan & Associates, Advocate, S.R.No.28434

+1cc to the Government Pleader, S.R.No.28712 [09/06/2022]

W.P.No.10079 of 2022

VG-II (CO)
RGA (25/05/2022)