



W.P.No.34131 of 2022 and W.M.P.Nos.33603 & 33604 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.34131 of 2022
and W.M.P.Nos.33603 & 33604 of 2022

A. Thangavel

... Petitioner

Vs

1. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Salem.

2. The Fit Person/Thakar,
Arulmigu Prasana Venkadachalapathi,
Mariamman, Droupathiamman Temples,
HR & CE Department
Shevapet Salem 636002.

3. The Inspector
Hindu Religious and Charitable
Endowments Department,
Salem.

... Respondents



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Prayer: Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorari to call for the records pertaining to the order passed by the first respondent vide proceedings in Se.Mu.Na.Ka.No.6872/2020-46/A2 dated 23.12.2020, the order of the 2nd respondent vide proceedings Nil dated 25.11.2022 and to quash the same.

For petitioner : Mr.G. Arul Murugan

For Respondents : Mr.K.Karthikeyan

Government Advocate (HR & CE)

[For R1 to R3]

ORDER

This writ petition has been filed to quash the impugned order passed by the first respondent dated 23.12.2020 and the proceedings of the 2nd respondent dated 25.11.2022.

2. It is the case of the petitioner that the Mariamman and Chelliamman Temples are denominational religious temples belonging to the Vanniyakur Chatriya Community. The members of the community contributed money and purchased patta lands on 04.09.1905 and constructed



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Chelliamman Temple. Thereafter they had purchased lands in front of the Mariamman Temple during the years 1930 and 1931 suit in O.S.No.596 of 1983 to declare that the denominational temple exclusively belongs to the Vanniyar Community living in Manakadu was filed and same was decreed in year 1999 wherein it is has been held that temple is a denominational temple and Tamil Nadu Hindu Religious and Endowment Department does not apply to the temple and also granted permanent injunction against the authorities from exercising any jurisdiction. When the matter stood thus, on 25.11.2022, the second respondent issued an order, referring the order of the 1st respondent dated 23.12.2020 and directed the petitioner to handover the management of the temples. Challenging the same, the present Writ Petition has been filed.

3. Mr.K.Karthikeyan, Government Advocate takes notice for the respondents.

4. I have perused the judgment passed in O.S.No.596 of 1983. The suit has been decreed in favour of the petitioner wherein the respondents are



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N.SATHISH KUMAR, J.
ggs

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