



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.5014 of 2022
and
W.M.P(MD).No.4114 of 2022

M.Kannan

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Ellis Nagar,
Madurai- 625016.

3.The Commissioner,
Aruppukottai Municipality,
Aruppukottai,
Virudhunagar District.

4.Mr.S.C.Saravanan,
Secretary, Ursava Committee,
The Aruppukottai Nadargal Uravinmurai
Pothu Abiviruthi Trust,
Aruppukottai-626101,
Virudhunagar District

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents No.1 to 3 from allowing the fourth respondent to conduct the Panguni Pongal for Sri Muthumari Amman Kovil, Aruppukottai, Virudhunagar District in any time without approval of the second respondent and resolution passed by the elected body of the fourth respondent society.

For Petitioner	: Mr.K.K.Kannan
For R1 & R2	: Mr.P.Subbaraj Special Government Pleader
For R3	: Mr.N.Dilip Kumar



ORDER

The petitioner has filed this writ petition for a writ of Mandamus to forbear the respondents No.1 to 3 from allowing the fourth respondent to conduct the Panguni Pongal for Sri Muthumari Amman Kovil, Aruppukottai, Virudhunagar District without approval of the second respondent and resolution passed by the elected body of the fourth respondent society.

2. It is submitted that the temple festival is proposed to be conducted from 29.03.2022 and that the petitioner has sent a representation to the respondents land 2 regarding the same. It is the case of the petitioner that huge collections for the temple festival is being made by the fourth respondent contrary to the provisions of the Hindu Religious and Charitable Endowments Act and the Rules made thereunder and it is further submitted that a writ of Mandamus be issued for restraining the fourth respondent from conducting aforesaid temple festival.

3. *Prima facie*, it appears that there is a private dispute and power struggle between the petitioner and one S.C.Saravanan, Secretary, Aruppukottai Nadargal Uravinmurai Pothu Abiviruthi Trust and the attempt of the petitioner is to stall the aforesaid temple festival by alleging that huge amount is being collected. The petitioner's representation, dated 16.03.2022 deserves an attention as to whether there is a collection of donations and whether it is contrary to the provisions of the Hindu Religious and Charitable Endowments Act.

4. Considering the same, I direct the respondents 1 and 2 to consider and pass appropriate orders on the representation of the petitioner, dated 16.03.2022 preferably on or before 25.03.2022. It is needless to state that before passing any order, the petitioner and the fourth respondent shall also be heard. No costs. Consequently, connected Miscellaneous Peititon is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.



2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Ellis Nagar,
Madurai- 625016.

3.The Commissioner,
Aruppukottai Municipality,
Aruppukottai,
Virudhunagar District.

+1 CC to M/s.K.K.KANNAN, Advocate (SR-13574[F] dated 22/03/2022)

+1 CC to M/s.SPL GP (SR-13890[F] dated 23/03/2022)

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-13972[F] dated 23/03/2022)

W.P (MD) .No.5014 of 2022
22.03.2022

SN
MS/23.03.2022/3P.7C