



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.03.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.5337 of 2022

WEB COPY

- 1.P.R.Ramasamy Ambalam
- 2.S.Ramalingam Ambalam
- 3.R.Govindan Ambalam
- 4.A.Meyyappan Ambalam ... Petitioners

/vs./

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Road,
Chennai 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Paramakudi cum Fit Person,
Arulmigu Koppudayanagi Ambal Thirukoil,
Karaikudi.
- 4.The Executive Officer,
Arulmigu Koppudayanayagi Ambal Thirukoil,
Karaikudi,
Sivagangai District.

- 5.P.L.K.R.Meyyappan Ambalam
- 6.P.R.Meyyappan Ambalam
- 7.Senthil Vadivelu Ambalam ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to implement the order passed by the second respondent in OA No. 62/1975 dated 04.04.1977 and in O.A.No.3/1992/CT dated 28.11.2003 by granting all privileges and honours covered in the said decisions to the petitioners' community in the fourth respondent temple.



For Petitioner : Mr.J.Anandakumar
For R1 to R4 : Mr.P.Subbaraj
Special Government Pleader

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondents to implement the order passed by the 2nd respondent in OA No. 62 of 1975 dated 04.04.1977 and in O.A.No.3/1992/CT dated 28.11.2003 by granting all privileges and honours covered in the said decisions to the petitioners' community in the fourth respondent temple.

2.After hearing the learned counsel for the petitioners and the learned counsel for the official respondents, this writ petition is disposed of by dispensing with the notice on the private respondents, namely respondents 5 to 7 as no adverse orders are proposed to be passed in this order against them.

3.The petitioners claim that they are entitled to certain privilege in terms of the order passed in O.A.No.62 of 1975 by the Deputy Commissioner for Hindu Religious and Charitable Endowments (Admin) Department, Madurai- 2 dated 04.04.1977 and order in O.A.No.3 of 1992 dated 28.11.2013 of the Joint Commissioner, HR & CE Administrative Department, Sivagangai.

4.Whether the petitioners are the members of the petitioners' community or entitled for any rights under Section 63 (e) of the HR & CE Act, 1959 is to be decided by the competent authority, namely, the 2nd respondent/the Joint Commissioner, HR & CE Department, Sivagangai.

5.Considering the fact that there could be custom to honour the members of the petitioners' community, this writ petition is disposed of by directing the 2nd respondent to consider the petitioners' representation dated 21.09.2021 and pass appropriate orders on merits and in accordance with law, within a period of 4 weeks from the date of receipt of a copy of this order. It is needless to state that before passing such orders, the private respondents herein, namely the respondents 5 to 7 shall also be heard.

6.The writ petition stands disposed of, in terms of the above observation. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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4.The Executive Officer,
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Karaikudi,
Sivagangai District.

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-14636[F] dated 25/03/2022)

+1 CC to M/s.SPL GP (SR-14840[F] dated 28/03/2022)

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RD(25.04.2022) 3P 7C