



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2022

CORAM

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

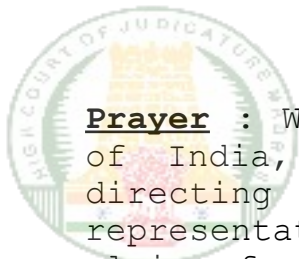
W.P(MD).Nos.6750 and 6751 of 2022  
and  
W.M.P.(MD).Nos.5207 and 5208 of 2022

**W.P. (MD) .No.6750 of 2022**

Kovil Vedavyasa R.Lakshmi Narasimha  
Bhattar Swamigal  
Sthalathar Hereditary Rotation Trustee,  
Sri Arulmigu Ranganatha Swami Thirukoil Vahaiyara,  
Srirangam  
Sri Vedavyasa Bhattar Swami Periya Thirumaligai Atheenam,  
131, North Uthara Street,  
Srirangam,  
Tiruchirapalli 620006. ... Petitioner

**Vs.**

- 1.The Principal Secretary,  
Tourist, Culture and Endowment Department,  
Government of Tamil Nadu,  
Fort St.George, Chennai-600 009.
- 2.The Commissioner,  
Hindu Religious and Charitable Endowments  
(Administration) Department,  
Nungambakkam,  
Chennai-600 034.
- 3.The Joint Commissioner/Executive Officer  
Sri Arulmigu Ranganatha Swami Thirukoil,  
Devasthanam,  
Srirangam, Thiruchirapalli-620 006.
- 4.The Joint Commissioner/Executive Officer,  
Arulmigu Mariyamman Temple,  
Samayapuram, Trichy.
- 5.Shri U.VeUthamanambi  
Singa Perumal Uthamanambi  
Sthalathar Sri Ranganatha Swami Temple,  
No.28/3 West Uthira Street,  
Srirangam, Thiruchirapalli- 620 06. ... Respondents



**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to forthwith consider the representation of the petitioner dated 03.03.2022 pertaining to his claim of assuming office of Chairmanship of Sthalathar Rotational Hereditary Trustee of Arulmigu Sri Ranganatha Swami Thirukoil, Srirangam and Arulmigu Mariyamman Thirukoil, Samayapuram and other sub temples of the said two temples, for the period 14.04.2022 Tamil Year (Subha Krithu) to 13.04.2023.

For Petitioner : Mr.S.Srinivasa Raghavan  
For R1 & R2 : Mr.P.Subbaraj  
Special Government Pleader  
For R3 : Mr.M.Saravanan

**W.P. (MD) .No.6751 of 2022**

Kovil Vedavyasa R.Lakshmi Narasimha  
Bhattar Swamigal  
Sthalathar Hereditary Rotation Trustee,  
Sri Arulmigu Ranganatha Swami Thirukoil Vahaiyara,  
Srirangam  
Sri Vedavyasa Bhattar Swami Periya Thirumaligai Atheenam,  
131, North Uthara Street,  
Srirangam,  
Tiruchirapalli 620006. ... Petitioner

**Vs.**

The Joint Commissioner/Executive Officer,  
Sri Arulmigu Ranganatha Swami Thirukoil,  
Devasthanam,  
Srirangam,  
Tiruchirapalli-620 006. ...Respondent

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent herein to remove the name of the petitioner from the list of chronic defaulters of rent and arrears of rent from the flux board / banners installed inside and outside the Arulmigu Sri Ranganatha Swami Thirukoil, Srirangam and its sub temples, in any manner which is the subject matter of O.S.No. 158 of 2018 on the file of District Munsif Court, Srirangam, Trichy.

For Petitioner : Mr.S.Srinivasa Raghavan  
For Respondent : Mr.M.Saravanan



**COMMON ORDER**

W.P.(MD).No.6750 of 2022 has been filed for a writ of Mandamus to direct the respondents to consider the petitioner's representation, dated 03.03.2022.

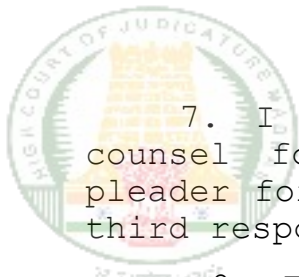
2. In the aforesaid representation, the petitioner has requested the respondents to consider the appointment of the petitioner as a Chairman of the trust in terms of scheme decree in order, dated 02.03.1942 in terms of compromise in O.S.No.29/40 before the Principal Seat of this Court.

3. In W.P.(MD).No.6751 of 2022, the same petitioner has filed this writ petition for a writ of Mandamus to remove the name from the flux board/banner installed inside and outside the temple premises pending disposal of the O.S.No.158 of 2018 before the Principal District Munsif Court, Srirangam, Trichy.

4. The learned counsel for the petitioner submits that as per the scheme decree, the petitioner is not required to pay any rent to the temple as a trustee. However, the petitioner has already paid a sum of Rs.1,98,234/-. The learned counsel for the petitioner, however, submits that the flux board which has been affixed in front of the trust office shows the petitioner as a chronic defaulter and in arrears of Rs.2,34,232/- which is unwarranted particularly in the light of the fact that the suit was pending on this subject in O.S.No.158 of 2018. It is further submitted that the petitioner had also filed CRP.(MD).No.202 of 2019 and an order came to be passed by this Court by directing the trial Court to dispose I.A.No.644 of 2018 in O.S.No.158 of 2018 as expeditiously as possible within a period of two months from the date of receipt of copy of the order. It is submitted that despite such no orders have been passed by the trial Court in said I.A. It is submitted that the temple was taking time before the trial Court and during the pendency of the aforesaid proceedings, the flux board has been put up to make it seem the petitioner was in arrears of aforesaid amount. It is submitted that without a proper/final determination, it is incorrect to declare the petitioner as a defaulter.

5. Opposing the prayer, the learned counsel for the respondent temple submits that the petitioner has been a chronic defaulter and has merely paid a sum of Rs.1,98,234/- and as on date was in arrears of Rs.2,34,462/-. It is submitted that the petitioner cannot ask for a remedy in this writ petition particularly in the light of the fact that the petitioner has rightly approached the civil Court for relief. It is therefore submitted that the petitioner has alternate remedy before the trial Court. It is therefore submitted that the writ petition is liable to be dismissed.

6. The learned counsel for the respondent temple further submits that if the petitioner pays the arrears, the petitioner's representation dated 03.03.2022 will be considered and appropriate orders will be passed for appointing the petitioner as a trustee for



7. I have considered the arguments advanced by the learned counsel for the petitioner and the learned Special Government pleader for the respondents 1 and 2 and the learned counsel for the third respondent.

8. The fact remains that the petitioner has questioned the rent demanded from the petitioner. The petitioner appears to have paid a sum of Rs.1,98,234/-. The petitioner has also filed a suit questioning the basis on which the amount is being demanded as rent from the petitioner. The petitioner has also secured a favourable order from CRP.(MD).No.202 of 2019 which directing the Trial Court to dispose the application in I.A.No.644 of 2018 within a period of two months from the date of receipt of copy of the order. **(\*)It is not clear why the petitioner has withdrawn I.A.No.644 of 2018.** It is during the pendency of such proceedings and when the term of the petitioner for being appointed as a Chairman of the trust has come up for consideration, when the respondents have put this board.

9. Considering the overall facts and circumstances of the case, I am inclined to dispose this writ petition by directing the petitioner to pay 50% of the amount as Rs.2,34,462/- within a period of two weeks from the date of receipt of copy of this order. **(\*)On payment of the aforesaid amount, the respondents may consider the petitioner's representation dated 03.03.2022 to be appointed as the trustee/Sthalathar trustee and as and when the petitioner's turn comes up for consideration, if the petitioner is otherwise entitled to be appointed.** The amount paid by the petitioner shall be treated as the amount having paid without prejudice to the petitioner's right in O.S.No.158 of 2021. The respondents are directed to obliterate the name of the petitioner on the petitioner paying 50% of the amount as directed by this order.

10. The writ petition stands disposed of with the above observations. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (P&A)

**(\*)Corrected as per the order of this Court dated 21.04.2022  
Made in WP(MD)Nos.6750 & 6751 of 2022**

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS-I)

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To

**(\*) to be substituted to the order already despatched on 13.04.2022**

- 1.The Principal District Munsif,  
Srirangam, Trichy.
- 2.The Principal Secretary,  
Tourist, Culture and Endowment Department,  
Government of Tamil Nadu,  
Fort St.George, Chennai-600 009.
- 3.The Commissioner,  
Hindu Religious and Charitable Endowments  
(Administration) Department,  
Nungambakkam,  
Chennai-600 034.
- 4.The Joint Commissioner/Executive Officer  
Sri Arulmigu Ranganatha Swami Thirukoil,  
Devasthanam,  
Srirangam, Thiruchirapalli-620 006.
- 5.The Joint Commissioner/Executive Officer,  
Arulmigu Mariyamman Temple,  
Samayapuram, Trichy.

+2 CC to M/s.S. SRINIVASA RAGHAVAN, Advocate ( SR-20254

+1 CC to M/s.M. SARAIVANAN, Advocate ( SR-20358 )

+1 CC to M/s.SPL.GP. ( SR-18842[F] dated 13/04/2022 )

W.P (MD) .Nos.6750  
and 6751 of 2022  
12.04.2022

kg (CO)

GC (13.04.2022) 5P 10C

**TR (06.05.2022) 5P 10C**