



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 01.06.2022

CORAM

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

W.P. (MD)No.10764 of 2022

and

W.M.P. (MD)Nos.7763 and 7765 of 2022

K.Rajagopal

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Madurai.

2.P.Paranthaman

3.K.Vannian Kothandaraman

4.A.Arumugam

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the first respondent to grant third honour to the petitioner in Vaikasi Festival scheduled to be held from 07.06.2022 to 15.06.2022 in Arulmigu Muthalamman Temple, situated at Virattipathu, Madurai.

For Petitioner	: Mr.AN.Ramanathan
For Respondent No.1	: Mr.A.Kannan
	Additional Government Pleader
For Respondent Nos.2 to 4	: Mr.V.Nagendran

ORDER

The writ petitioner herein seeks a Writ of Mandamus, directing the first respondent to grant 3rd honour to him in Vaikasi Festival scheduled to be held from 07.06.2022 to 15.06.2022 in Arulmigu Muthalamman Temple, situated at Virattipathu, Madurai.

2.While the writ petitioner herein claims the right of 3rd honour, the same is disputed by the third respondent by name, K.Vannian Kothandaraman. A civil suit is also pending before the District Munsif Court, Thirumangalam, filed by the third respondent herein in O.S.No.97 of 2019, seeking injunction restraining the authorities permitting the writ petitioner to get the 3rd honour. It is also brought to the notice of this Court that the present Writ



Petitioner has filed O.A.No.4 of 2019 before the Joint Commissioner under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, to declare his right to get the 3rd honour and Sakthi Kida (Goat) in rotation of every alternate years. Pending proceedings in two different forums by the rival claimants, the present Writ Petition is filed seeking a Mandamus, to direct the first respondent to grant 3rd honour to the petitioner in the Vaikasi Festival scheduled to be held from 07.06.2022 to 15.06.2022.

3.The learned counsel appearing for the petitioner would submit that pending O.A.No.4 of 2019, earlier, the Joint Commissioner, H.R & C.E., has passed an interim order permitting the writ petitioner herein to get the 3rd honour during the Vaikasi Festival and seeks for similar interim order.

4.Whereas, the learned counsel for the respondents 2 to 4 oppose granting such interim direction on the ground that the writ petitioner is not entitled to get the 3rd honour and a suit in this regard, is pending before the District Munsif Court, Thirumangalam.

5.Since the Vaikasi Festival is scheduled to commence on 07.06.2022 and due to paucity of time, the claim of the writ petitioner herein, which is subject matter of O.A.No.4 of 2019 on the file of the first respondent cannot be disposed of before commencement of the Vaikasi Festival of this year. However, the first respondent herein shall take necessary steps to summon the rival claimants and pass an interim order on or before 06.06.2022. The final order in O.A.No.4 of 2019 shall be passed within a period of three months from the date of receipt of a copy of this order, so that a quietus can be given to the issue without perpetuating the litigation. Any interim order passed by the first respondent shall no way prejudice the parties in their claim made in the main O.A.No.4 of 2019.

6.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Vacation Officer/
Assistant Registrar

// True Copy //

03/06/2022

Sub Assistant Registrar(CS)

smn2/bala

<https://hcservices.ecourts.gov.in/hcservices/>



To

The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Madurai.

WEB COPY

+1 CC to M/s.AN. RAMANATHAN, Advocate (SR-24229[F] dated 01/06/2022

+1 CC to M/s.SPL.GP (SR-24258[F] dated 02/06/2022)

W.P. (MD) No.10764 of 2022
01.06.2022

sg (CO)

TR (03.06.2022) 3P 4C