



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2022

CORAM:

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

**W.P. (MD) No.13010 and 13014 of 2020**

**and**

**W.M.P. (MD) No.10953, 10955, 10959 and 10960 of 2020**

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Pandiarajan Pandaram ...Petitioner in W.P.(MD).No.13010 of 2020

Balagurusamy Pandaram ...Petitioner in W.P.(MD).No.13014 of 2020

**/vs./**

1.The Joint Commissioner / Executive Officer,  
Hindu Religious and Charitable Endowments Department,  
Arulmighu Dhandhayuthapani Thirukovil,  
Palani, Dindigul District.

2. Arulmighu Dhandayuthapani Swami  
Malaikovil Sthanika Mirasu 64  
Thirumanjana Pandarangel Sangam,  
Represented by its President,  
S.Palanisamy, S/o. Sankaran,  
No.1/121, Ohm Sakthi Nagar,  
Kodhaimangalam, Palani Taluk,  
Dindigul District.

...Respondents in both W.P.s

**COMMON PRAYER:**Writ Petitions are filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records of the impugned order of the 1<sup>st</sup> respondent in R.C.No.1526/2017/C6 dated 24.08.2020 and quash the same as illegal.

For Petitioner  
in both W.P.s

: Mr.M.Kannan, Advocate

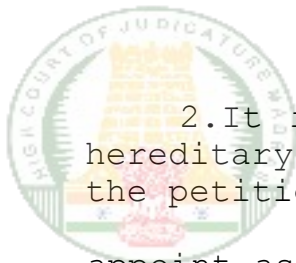
For R1  
in both W.Ps.,  
For R2  
in both W.Ps.,

: Mr.K.Govindarajan, Advocate

: Mr.G.Gomathisankar, Advocate

**COMMON ORDER**

The petitioners have challenged the impugned communication of the 1<sup>st</sup> respondent dated 24.08.2020 seeking to revise the earlier order dated 06.06.2017, recognizing the petitioners as Pandaram for discharging certain ritual functions in the vogue pursuant to a writ petition filed by one Palanisamy Pandaram, who claims himself to be the President of Arulmigu Dhandhayupani Swamy Malaikovil Sthanika Miraz 64 Thirumanjana Pandarangel Sangam, Palani.



2.It is submitted that the right to the office of Pandaram is hereditary in nature and after the death of the petitioners' father, the petitioners were entitled to

appoint as Pandaram in their place. It is further submitted that the association cannot intervene in the appointment of the petitioner as Hereditary Kattazhai Pandaram. It is further submitted that once the appointment is made by the 1<sup>st</sup> respondent/Joint Commissioner, the Joint Commissioner becomes *Functus officio* and that the 1<sup>st</sup> respondent has no power to revise his order.

3.It is submitted that in the absence of any statutory power to recall the earlier decision recognizing the petitioners as Hereditary Kattazhai Pandaram on 06.06.2017, the impugned communication exchanged by the Executive Officer of the 2<sup>nd</sup> respondent temple in response to the said writ petition filed by the said Palanisamy Pandaram, cannot be countenanced.

4.Opposing the prayer, the learned counsel for the 2<sup>nd</sup> respondent submits that the petitioners are not the legal heirs of Dhandapani Pandaram and that he died issueless and therefore, the petitioners cannot claim a right to be appointed as Hereditary Kattazhai Pandaram.

5.The learned counsel for the 1<sup>st</sup> respondent submits that the impugned order may be set aside and the matter is remitted back to the 1<sup>st</sup> respondent to pass appropriate orders after giving due notice to the petitioner.

6.These writ petitions are disposed of in terms of the above undertaking of the learned counsel for the 1<sup>st</sup> respondent. The matter is remitted back to the 1<sup>st</sup> respondent for considering the same 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 afresh. The 1<sup>st</sup> respondent shall consider all the issues that may be canvassed by the petitioner. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



**To**

The Joint Commissioner / Executive Officer,  
Hindu Religious and Charitable Endowments Department,  
Arulmighu Dhandhayuthapani Thirukovil,  
Palani, Dindigul District.

+2 CC to M/s.G.GOMATHISANKAR, Advocate ( SR-12579,12580[F] dated 16/03/2022 )

+1 CC to M/s.M.KANNAN, Advocate ( SR-12750[F] dated 17/03/2022 )

**W.P. (MD) No.13010 and 13014 of 2020**

**Date:16/03/2022**

SA(30.03.2022) 2P 5C