



W.P. (MD) No. 13344 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2022

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 13344 of 2021

and

W.M.P. (MD) No. 20660 of 2022

M.Perumal Yadav

... Petitioner

Vs.

1.The Principal Secretary /Commissioner,
HR & CE (Hindu Religious Charitable Endowment Board),
Chennai-34.

2.The District Collector,
Nagercoil,
Kanyakumari District.

3.The Joint Commissioner /Executive Officer,
Kanyakumari District Temples,
Susindram,
Kanyakumari District.

4.The Joint Commissioner /Executive Officer,
Arulmigu Subramaniya Swamy Temple,
Tiruchendur-628 215,
Tuticorin District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Mandamus, to direct the respondents to remove the lock and seal of Lord Shri Murugan Deity situated at Yadav Mahasabai Sangam premises at K.P.Road, Parvathipuram, Nagercoil, Kanyakumari District vide the petitioner's representation dated 16.03.2020 and 28.09.2020 and to permit the petitioner to worship the deity.

For Petitioner	: Mr. D.Saravanan
For RR1 to 3	: Mr. P.Subbaraj Special Government Pleader
For R4	: Mr. M.Muthugeethian

ORDER

Heard Mr. D.Saravanan, Learned Counsel for the Petitioner, Mr.P.Subbaraj, Learned Special Government Pleader for the First to Third Respondents and Mr. M.Muthugeethian, Learned Counsel for the Fourth Respondent and perused the materials placed on record apart from the pleadings of the parties.

2. The Writ Petition has been filed to direct the Respondents to remove the lock and seal of Lord Shri Murugan Deity situated at Yadav Mahasabai Sangam premises at K.P.Road, Parvathipuram, Nagercoil, Kanyakumari

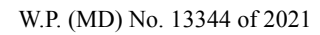


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District considering the representations of the Petitioner dated 16.03.2020 and 28.09.2020 and to permit the Petitioner to worship the Deity.

3. In furtherance of the affidavit dated 12.12.2022 filed by the Assistant Commissioner, Hindu Religious and Charitable Endowment Department, the Petitioner, who appeared in person before the Court, has expressed his unwillingness to take custody of the Idol of the Deity. In such circumstances, the Assistant Commissioner of Hindu Religious and Charitable Endowment Board, Kanyakumari District has taken charge of the Idol and has kept it in safe custody. He has filed an affidavit dated 14.12.2022 to that effect, which is placed on record. It shall be incumbent upon the Assistant Commissioner of Hindu Religious and Charitable Endowment Board to take further action for protecting the Idol and to deal with the same in accordance with law.

4. Since the Idol has been removed from the said premises, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition and he has also made an endorsement to that effect in the court record.



connected Miscellaneous Petition is closed. No costs.

<https://www.mhc.tn.gov.in/judis>



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P.D.AUDIKESAVALU,J.

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15.12.2022