



W.P.(MD)No.13434 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.13434 of 2022

Jothiammal

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam,
Chennai.

2. The Joint Commissioner,
Arulmighu Aranganathar Thirukovil,
Srirangam,
Trichy – 6.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd Respondent to permit the Petitioner to enjoy the customary right of Thirukkottara Mattu Kottagai Mirasu Murai in Sri Renganatha Swamy Temple, Srirangam for the period 01.12.2021 to 02.12.2022, by considering the representation of the Petitioner dated 03.12.2021.



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For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.P.Subbaraj
Special Government Pleader for R1
Mr.M.Saravanan for R2

ORDER

This Writ Petition has been filed to direct the 2nd Respondent to permit the Petitioner to enjoy the customary right of 'Thirukkottara Mattu Kottagai Mirasu Murai' in 'Sri Renganatha Swamy Temple', Srirangam for the period 01.12.2021 to 02.12.2022, by considering the representation of the Petitioner dated 03.12.2021.

2. It is submitted by the learned counsel for the Petitioner that the Petitioner's husband's ancestors were enjoying the customary right of maintaining Cows and the Cattle-barn situated at 'Sri Renganatha Swamy Temple', Srirangam in the name and style of 'Thirukkottara Mattu Kottagai Mirasu Murai'. The 2nd Respondent granted customary right to the Petitioner's family on roster basis. Since the Petitioner's family did not enjoy the said right for the period 2020-2021, she made a representation dated 03.12.2021 to the Respondents to permit her to enjoy the customary right



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for the period from November 2021 to December 2022. However, till date, the Respondents have not taken any action on the representation of the Petitioner. Hence, the present Writ Petition has been filed.

3. It is submitted by the learned Special Government Pleader appearing for the 1st Respondent that the representation of the Petitioner would be considered and orders passed thereon in accordance with law.

4. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.

5. The question as to whether the prayer survives, in view of the fact that the period in respect of which the customary right is sought for ends in December 2022, the learned Special Government Pleader for the 1st Respondent submitted that nothing would possibly survive. However, it was submitted by the learned counsel for the Petitioner that the representation may be considered and orders passed with regard to entitlement and if she is successful in establishing the same, it would enable them to represent before the Respondents for extending the benefit for the following period.



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6. In view of the above submission and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the concerned Respondent to consider the Petitioner's representation dated 03.12.2021, on its own merits and pass appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order after granting opportunity to the Petitioner and also putting all interested parties on notice. It is made clear that this Court has not expressed any view with regard to the merits of the representation and it is open to the concerned Respondent to consider the representation on its own merits.

7. With the above direction, this Writ Petition stands disposed of.

No costs.

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Index : Yes / No

Speaking Order : Yes / No

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MOHAMMED SHAFFIQ, J.

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