



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) .No.17354 of 2019

and

W.M.P (MD) .No.13847 and 13848 of 2019

M.Rajendran

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Thiruvanaikovil,
Trichy.

2.The Executive Officer,
Pudukottai Temples,Pudukottai.

3.The Superintendent,
Pudukottai Temples,
Sri Mavayalkattu Ayyanar Koil,
Keelathaniyam,Pudukottai District.

4.Chinnadurai

5.Ramaraja
The Exectutive Officer,
Pudukottai Temples,
Pudukottai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, call for the records pertaining to the order of the second respondent dated 20.07.2018 in Na.Ka.No.506/2014/J and impugned order of the second respondent dated 25.07.2018 in Na.Ka.No.506/2014/J and quash the same and consequently direct the first respondent to conduct an enquiry on the complaint against fourth respondent.

For Petitioner	:	Mr.J.Anandkumar
For R1	:	Mr.P.Subbaraj
		Special Government Pleader.
For R2, R3, R5	:	Mr.G.Mathavan
For R4	:	Mr.T.Vadivelan



ORDER

The petitioner has challenged the impugned order of the 2nd respondent dated 20.07.2018, whereby, the 4th respondent who was earlier suspended was reinstated as Poosari of the Sri Mavayilkattu Ayyanar Temple. The petitioner has also challenged the consequential order of the 2nd respondent dated 25.07.2018 allowing the 4th respondent to perform the ceremonies in the said temple. The said temple was allegedly constructed prior to 1950.

2. It is the specific case of the petitioner that the 4th respondent had resorted to sale of the temple land and therefore, based on the complaint filed by the petitioner, the 4th respondent was placed under suspension. However, the second respondent as Executive Officer curiously revoked the suspension, vide impugned order dated 20.07.2018, which has been impugned in this writ petition. By the second mentioned impugned order dated 25.07.2018, the fourth respondent has to perform the Poojas. It is further submitted that the fourth respondent was resorting discrimination by eliminating a section of the community from worshiping in the temple and therefore, he is not a fit person to continue either as the trustee or as a poosari of the said temple.

3. The learned counsel for the second respondent submits that the fourth respondent who was an Executive Officer, has been removed after the impugned order was passed on 20.07.2018. He further submitted that the fourth respondent had also not taken any steps to recover the lands of the temple and the land has not been handed over to the temple.

4. The learned Special Government Pleader for the first respondent, on the other hand, submitted that appropriate action will be taken to recover the land.

5. Considering the above submission, the impugned order, dated 20.07.2018 passed by the fifth respondent in the capacity of the Executive Officer stands quashed. The first respondent is directed to conduct an enquiry and appoint a new Poosari for conducting the rituals in the aforesaid temple. The entire exercise shall be carried out by the respondents within a period of four weeks from the date of receipt of copy of this order. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Thiruvanaikovil,
Trichy.

2.The Executive Officer,
Pudukottai Temples,
Pudukottai.

3.The Superintendent,
Pudukottai Temples,
Sri Mavayalkattu Ayyanar Koil,
Keelathaniyam,
Pudukottai District.

+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-13228[F] dated 21/03/2022)

+1 CC to M/s.SPL GP (SR-13526[F] dated 22/03/2022)

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MGJ(01.04.2022) 3P 6C