



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.19284 of 2022

and

W.M.P. (MD)No.14069 of 2022

Mannachanallur Arunathiri
Muthu Irulandi Chettiar Charitable Trust
represented by its Secretary, K.V.R.Sridhar,
S/o.V.Ranjangam,
No.57, Rasampalayam Road,
Mannachanallur Taluk,
Tiruchirapalli - 621 005.

... Petitioner

Vs

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

2. P.Hari Basker
3. R.Viswanathan
4. V.Rengan
5. V.Ravi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the first respondent in Original Petition No.7/2003 dated 23.08.2005 quash the same and consequently declaring that the petitioner Trust only is entitled to conduct poojas during Navarathiri Golu Festivals in Arul Migu Angala Parameswari Thirukovil, Mannachanallur, Tiruchirapalli District.

For Petitioner	:	Mr.VR.Shanmuganathan for Mr.S.T.Gopinath
For Respondents	:	Mr.P.Subbaraj, Special Government Pleader for R1 Mr.N.Shyllappa Kalyan for R2 and R3 Mr.T.S.R.Venkatramana for R4 and R5



O R D E R

This Writ Petition has been filed challenging the order passed by the first respondent in Original Petition No.7/2003 dated 23.08.2005 and quash the same and consequently, declare that the petitioner Trust only is entitled to conduct poojas during Navarathiri Golu Festivals in Arul Migu Angala Parameswari Thirukovil, Mannachanallur, Tiruchirapalli District.

2. When the matter is taken up for hearing today, it is submitted by the both the learned counsel for the Petitioner as well as the Respondents 2 to 5 that they have arrived at a settlement, whereby, the petitioner would permit the Respondents 2 to 5 to perform Navarathiri Pooja in the manner in which it has been conducted over the years and that the Respondents 2 to 5 undertake not to interfere with the Management which is with the petitioner presently. If the petitioner or the Respondents 2 to 5 are aggrieved over any other matter, it is open to them to work out their remedies before the appropriate forum.

3. This Court has not expressed its view on any aspect on merits and no question is examined by this Court and all questions are left open.

4. With the above observation, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

(*)This Petition having been posted on Tuesday the Twenty seventh day of September Two Thousand Twenty Two FOR BEING MENTIONED pursuance of the order of this court dated 23/09/2022 and made herein in the presence of the above said advocate, This Court made the following order:

This writ petition came up for hearing today under the caption "For Being Mentioned" in view of the fact that the learned counsel for the Respondents 2 to 5 expressed certain difficulties in conducting Navarathiri Pooja, in particular, that the Respondents 2 to 5 and their family members were not permitted to carry the deity, contrary to the undertaking given to this Court.

2. The learned counsel for the Petitioner submits that they would permit the Respondents 2 to 5 and their family members to carry the deity. At the same time, the learned counsel for the Petitioner would also submit that an attempt was made by the Respondents 2 to 5 to interfere with the management contrary to the undertaking given before this Court. The learned counsel for the Respondents 2 to 5 would clarify that they had not and would not interfere with the management and would abide by the undertaking.



3. The learned Special Government Pleader for the 1st Respondent undertakes that adequate police protection would be granted to avoid any untoward incident.

4. This Court would clarify yet again that if the Petitioner or the Respondents 2 to 5 are aggrieved over any other matter, it is open to them to work out their remedies before the appropriate forum as set out in the earlier order of this Court, dated 23.09.2022. This Court has not expressed its view on any aspect on merits and no question is examined by this Court and all questions are left open.

Sd/-

Assistant Registrar (CS-I)

(*) amended as per the order of this court dated 27/09/2022

Sd/-

Assistant Registrar (AD-I)

// True Copy //

27/09/2022

Sub Assistant Registrar(CS)

CSM

(*) To be substituted the order already despatched on 23/09/2022

To

The Joint Commissioner,
Hindu Religious and Charitable Endowment Board,
Thiruvanaikovil, Tiruchirapalli.

+1 CC to M/s.S.T.GOPINATH, Advocate (SR-46818[F] dated 23/09/2022)

+2 CC to M/s.T.S.R.VENKAT RAMANA, Advocate (SR-46771[F] dated 23/09/2022)

W.P(MD)No.19284 of 2022
23.09.2022

USK/23.09.2022/3P/5C

KB/23.09.2022/3P/5C