



W.P(MD).No.19903 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD).No.19903 of 2022

and

W.M.P.(MD).No.14501 of 2022

Arunagiri

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Trichy.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Perambalur.
- 4.The Revenue Divisional Officer,
Lalgudi,
Trichy District.
- 5.The Tahsildar,
Lalgudi Taluk,
Trichy District.
- 6.Kathiravan



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7.Periyasamy

8.Ramesh Kumar

9.Prabhu

10.Arockiaraj

11.Veeramani

12.Ragupathi

13.Vasu

14.Kumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to supervise the temple namely Arulmigu Sangili Karuppanna Swamy, Arulmighu Periyannasamy, Arulmighu Kamatchiamman, Arulmighu Pidari and Arulmighu Ayyanar Temple situated at Keelaperungavoor Village, Lalgudi Taluk, Trichy District and conduct the festival in the said temple by considering the petitioner's representation dated 17.08.2022.

For Petitioner : Mr.T.Lenin Kumar

For R-1 to R-5 : Mr.M.Lingadurai,
Special Government Pleader.



ORDER

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The contention of the petitioner is that the petitioner had sent a representation to the authorities on 17.08.2022 seeking removal of encroachers requesting the temple authorities to maintain the temple and to conduct the temple festival inclusive of all villagers. The temple itself was developed by putting up shed maintaining the garden by voluntary contribution by the petitioner and the respondents 6 to 9. At the instance of the tenth respondent who is the Panchayat President, the respondents 11 to 14 are obstructing the peaceful conduct of festival and pooja in the temple. Further they are attempting to encroach upon the temple properties. Though the temple comes under the Hindu Religious and Charitable Endowment Department, the temple authorities failed to act. Hence, this Writ Petition has been filed.

2. The learned Special Government Pleader appearing for the respondents 1 to 5 submitted that the petitioner's complaint has been received. Now, the temple comes under the control of the third respondent. The third respondent had already taken steps to appoint a fit person from nearby temple to maintain the temple, safeguard the temple from the encroachers and to



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augment the temple income, further to ensure the regular poojas and festival be conducted, further take steps to remove the encroachers following Section 78 of Hindu Religious and Charitable Endowments Act. He further submitted and produced letter dated 26.08.2022 of the Assistant Commissioner confirming the same. He further submitted that the entire process would be completed within a period of three (3) months.

3. Recording the same, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.08.2022

Index : Yes / No
Internet : Yes/ No
Nsr



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To

1. The Commissioner,
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Hindu Religious and Charitable Endowment Department,
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4. The Revenue Divisional Officer,
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5. The Tahsildar,
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M.NIRMAL KUMAR, J.

Nsr

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