



W.P(MD) No.22079 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2022

CORAM:

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA
PRASAD**

**W.P.(MD) No.22079 of 2022
and W.M.P(MD) No.16249 of 2022**

R.Gandhimathi Nathan

... Petitioner

-VS-

1.The Secretary to the Government,
Hindu Religious and Charitable Endowments
Department,
Fort St.George,
Chennai.

2.The Commissioner,
Hindu Religious and Charitable Endowments
Department,
No.19, Uthamar Gandhi Road,
Chennai – 34.

3.The Assistant Commissioner,
The Assistant Commissioner Office,
Hindu Religious and Charitable Endowments
Department,
18, Nacchi Street,
Virudhunagar – 62 001.



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4.M/s.Iluppaiyur Hindu Nadar Uravinmurai,
Rep. by its Ambalam K.Packia Nadar,
Iluppaiyur, Virudhunagar District,
Now residing at Palamarneri Road,
Thirukkattupalli, Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents 1 to 3 to take the control of the fourth respondent temple and also recover the properties of the temple in the interest of temple as well as devotees by considering the representation of the petitioner dated 18.07.2022.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.P.Thilak Kumar,
Government Pleader for R1 to R3

ORDER

(Order of the Court was made by R.MAHADEVAN, J.)

The prayer in this writ petition is for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to take the control of the fourth respondent temple and also recover the properties of the temple in the interest of the temple as well as the devotees, by considering the representation of the petitioner dated 18.07.2022.

2. The learned counsel for the petitioner submitted that the temples, namely, “Sri Pongu Mariamman, Kali Amman and



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Karuppanasamy Temples” are being maintained by the petitioner along with his community people. Since the said temples were constructed 200 years ago, a committee was constituted to reconstruct the said temples, in which, the petitioner was selected as Joint Secretary. The petitioner states that their ancestors had purchased various articles viz., jewels, lamps etc., to decorate the idol as well as the temple. The main allegation of the petitioner is that even after the completion of renovation work, few members in the said committee have not returned the articles owned by the temple. He further alleged that there is no proper accounts maintained by the committee members *qua* donations so far received to perform the Kumbabishekam of the temple. Pointing out all the aforesaid allegations, the petitioner has addressed a representation dated 18.07.2022 to the respondents 1 to 3 to take control over the said temple and the same, according to the petitioner, is unattended. Hence, this writ petition.

3. Learned counsel for the petitioner would further submit that the petitioner would be satisfied if a direction is issued to the respondents 1 to 3 to consider the representation of the petitioner dated 18.07.2022, in accordance with law.



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4. Heard Mr.S.C.Herold Singh, learned counsel appearing for the petitioner and Mr.P.Thilak Kumar, learned Government Pleader appearing for the respondents 1 to 3, who submitted that the representation of the petitioner will be considered in accordance with law, within a time frame.

5. Considering the limited scope of the prayer now sought for by the petitioner, without going into the merits of the case, this Writ Petition is disposed of with a direction to the respondents 1 to 3, to consider the representation of the petitioner dated 18.07.2022 and pass orders in accordance with law, after providing an opportunity of hearing to all the parties concerned. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[R.M.D., J.] [J.S.N.P., J.]
19.09.2022

Index : Yes / No
Internet : Yes / No
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