



WEB COPY

W.P(MD).No.23058 of 202



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD).No.23058 of 2022

A.Kumaraswamy

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
No.106 H/5D/6, Palai Road,
West Millerpuram,
Thoothukudi-628 008.
- 3.The Inspector/Executive Officer,
Hindu Religious and Charitable Endowments Department,
Tiruchendur-628 215.
- 4.The District Forest Officer,
Thoothukudi District,
Thoothukudi-628 101.
- 5.Arunjunai Katha Ayyanar Temple,
Administrative Committee,
Mela Puthukudi Village
Represented by one of its
Administrative Committee Member,
M.Athikan Nadar,



S/o Marimuthu Nadar,
North Street,
Mela Puthukudi Village-628 201,
Tiruchendur Taluk,
Thoothukudi District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to pass suitable orders to take over the entire administration of the Arulmighu Arunjunai Katha Ayyanar Temple, Mela Puthukudi Village, Tiruchendur Taluk, Thoothukudi District under Section 47 or 64 of the Hindu Religious and Charitable Endowments Act, as per the proceedings in Roc.No. 1724/2022/C4 dated 08.03.2022, after due receipt report from the third respondent, thereby considering the representations of the petitioner, dated 07.03.2022 and 18.08.2022 within the time stipulated as may be fixed by this Court.

For Petitioner	: Mr.G.Aravinthan
For R1 to R4	: Mr.P.Subbaraj Special Government Pleader
For R5	: Mrs.P.Rohini

ORDER

This writ petition is filed praying for a writ of Mandamus directing the 2nd Respondent to pass suitable orders to take over the entire administration of the Arulmighu Arunjunai Katha Ayyanar Temple, Mela Puthukudi Village, Tiruchendur Taluk, Thoothukudi District under Section 47 or 64 of the Hindu Religious and Charitable Endowments Act, as per the proceedings in Roc.No.



1724/2022/C4, dated 08.03.2022, after receipt of report from the 3rd

Respondent and on considering the representations of the petitioner, dated 07.03.2022 and 18.08.2022.

2. The temple, namely, Arulmighu Arunjunai Katha Ayyanar Temple is situated in Melapudhukkudi Village, Tiruchendur Taluk, Thoothukudi District is worshipped by seven clans of Hindu Nadar Community as well as the villagers in and around Melapudhukkudi. The Administration Committee comprising of 8 members out of seven clans are administering/managing the affairs of said temple. The Petitioner was nominated as one among the members of the Committee for the term 2021-2024. The Petitioner found that there were several irregularities in maintaining the properties as well as accounts of the temple. With regard to that, the Petitioner gave complaint to the Inspector of Police, Kurumbur Police Station and the same was under investigation. As a member of the Administration Committee, the Petitioner felt duty bound to preserve the properties, and other pooja articles worth about Rs.25,00,000/-. Hence, the Petitioner submitted a detailed representation on 07.03.2022 to the 2nd Respondent requesting to initiate proper action, so as to take the administration of the temple under the control of the said Department. The 2nd Respondent vide his proceedings, dated



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08.03.2022 directed the 3rd Respondent to inspect the temple and submit its report to bring the temple under the control of Hindu Religious and Charitable Endowments Department. There has been gross inaction on the part of the 3rd Respondent in preparing the report as sought by the 2nd Respondent regarding the status of the temple. Hence, the present writ petition was filed.

3. It is submitted by the learned Special Government Pleader for the Respondents 1 to 4 that the 2nd Respondent will pass appropriate orders on the representations of the Petitioner, dated 07.03.2022 and 18.08.2022 within a period of twelve weeks.

4. Recording the same, the 2nd Respondent is directed to pass appropriate orders on the representations of the Petitioner, dated 07.03.2022 and 18.08.2022 after giving notice to the 5th Respondent within a period of twelve weeks from the date of receipt of a copy of this order. The writ petition stands disposed of. No costs.

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Index : Yes / No
Internet : Yes/ No
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MOHAMMED SHAFFIQ, J.

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