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W.P.No.7982 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2023

CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

W.P.No.7982 of 2023

K.Kathirvel
S/o.T.Krishnasami
53-A, Ulagapuram
Gnanipalayam Post
Vellodu, Erode District 638 112.

... Petitioner

Vs.

1.The Commissioner
Hindu Religious and Charitable Endowment Department
Chennai 600 034.

2.The Joint Commissioner
Hindu Religious and Charitable Endowment Department
Jawans Bhavan, 2nd Floor, Gandhiji Road
Erode 638 001 (Near Fire Service)

3.The Executive Officer
Arulmigu Subramaniaswamy Thirukoil
Chennimalai, Erode District

4.O.S.Eswaramoorthy
S/o.O.S.Sivanmalai Gounder
Odakkattuvalasu, Vadugapatti Post
Arachalur Via, Erode District

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance



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of Writ of Mandamus to direct the 2nd Respondent to dispose of the Petitioner's application dated 10.06.2019 and consequently directing the Respondents to print the Petitioner's family name viz., Ulagapuram Musif Maniyam Thirumalai Gounder in the invitations for conducting *Kalmandapam Kattalai Pooja* during the car festival conducted by the Respondents during the festival of *Thaipoozam, Panguni Ther* and *Soorasamharam*.

For Petitioner : Ms.S.Karpagapriya

For Respondents : Mr.N.R.R.Arun Natarajan (for R1 to R3)
Special Government Pleader

ORDER

This Writ Petition has been filed seeking direction to the 2nd Respondent to dispose of the Petitioner's application dated 10.06.2019 and consequently directing the Respondents to print the Petitioner's family name viz., Ulagapuram Musif Maniyam Thirumalai Gounder in the invitations for conducting *Kalmandapam Kattalai Pooja* during the car festival conducted by the Respondents during the festival of *Thaipoozam, Panguni Ther* and *Soorasamharam*.



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2.Mr.N.R.R.Arun Natarajan, learned Special Government Pleader, takes notice for Respondents 1 to 3.

3.Heard the learned counsel for the Petitioner and the learned Special Government Pleader for Respondents 1 to 3.

4.On earlier round of litigation, this Court has passed an order in WP.No.37077 of 2016 dated 07.02.2019, directing the parties to appear before the Joint Commissioner and to file an appropriate application under Section 63(A) of the Tamil Nadu Hindu Religious and Charitable Endowment Act. It appears that pursuant to the said order passed by this Court, the Joint Commissioner HR&CE, Coimbatore by an order dated 18.03.2019 made in Na.K.A.No.2268 of 2019/A3, in view of the rival claims between the two persons viz., Petitioner and the contesting private Respondent, has passed an order directing the parties to seek legal remedy as contemplated under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowment Act.

5.Hence I find that the earlier order passed by this Court followed by the order passed by the Joint Commissioner governs the field. Instead of filing for



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legal remedy as directed as contemplated under the statute, the Petitioner has made the representation and hence, I am not inclined to entertain this Petition, since the prayer already covered by the judicial order.

6.In fine, this Writ Petition is dismissed. No costs.

16.03.2023

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To

1.The Commissioner
Hindu Religious and Charitable Endowment Department
Chennai 600 034.

2.The Joint Commissioner
Hindu Religious and Charitable Endowment Department
Jawans Bhavan, 2nd Floor, Gandhiji Road
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RMT.TEEKAA RAMAN.J,

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