



Writ Petition No.17688 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.17688 of 2023

and

W.M.P.No.16781 of 2023

Selvaraj
S/o.Govindasamy

...Petitioner

Vs

1.The Commissioner,
HR & CE Department,
Nungambakkam,
Chennai - 600 034.

2.The Joint Commissioner,
Office of Joint Commissioner,
HR & CE Department,
Cuddalore.

3.C.Varadarajan
S/o.Chakrapani Iyengar

4.Sridharan
S/o.Chakrapani Iyengar

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 & 2 to give permission to the petitioner to conduct the Kumbabishegam of Sri Arulmigu



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Varadaraja Perumal Temple, Olayur Village, Udayarpalayam Taluk, Ariyalur District and also to issue necessary directions forbearing the respondents 3 and 4 from doing any action for the performance of Kumbabishegam for the said Sri Arulmigu Varadaraja Perumal Temple.

For Petitioner : Mr.R.Rajarajan

For Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader [R1 & R2]

ORDER

This writ petition has been filed by the petitioner claiming to be the hereditary trustee of Sri Arulmigu Varadaraja Perumal Temple at Perambalur District for a direction to respondents 1 and 2 to conduct the Kumbabishegam for the said temple and restrain the respondents 3 and 4, who are claiming themselves to be the hereditary trustees and attempting to conduct the Kumbabishegam.

2. Heard Mr.R.Rajarajan, learned counsel for petitioner and Mr.N.R.R.Arun Natarajan, learned Special Government Pleader appearing for respondents 1 and 2.



3. It is apparent from the records that there is already a dispute between the petitioner and the respondents 3 and 4 and these private respondents have filed a suit in O.S.No.69 of 2004 before the Sub-Court, Ariyalur challenging the order passed by the Commissioner of Hindu Religious and Charitable Endowments Department [for brevity 'the Department'] and claiming to be the hereditary trustees of the temple. This suit has been renumbered as O.S.No.36 of 2020 and it is now pending before the Sub-Court II, Jeyamkondam. It is not necessary to go into the issue as to who is the actual hereditary trustee for the temple and the same will be decided by the competent Court where the suit is pending.

4. Learned Special Government Pleader appearing on behalf of respondents 1 and 2 submits that the temple is under the administration and control of the Department and already permission was accorded for doing the renovation work for the temple during the year 2021. It was further contended that after completion of the renovation work, it is the Executive Officer, who will conduct the kumbabishegam and respondents 3 and 4 will not be permitted to do the same.



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5. Learned Special Government Pleader submitted that till the suit is finally decided, the functions/festivals will be conducted only by the Executive Officer of the Department.

In the light of the submission made by learned Special Government Pleader, the grievance addressed by the petitioner has been sufficiently answered and recording the same, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

15.06.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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To

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