



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.18712 of 2023
and
W.M.P.No.17955 of 2023

V.Gandhimathi

Petitioner

vs.

1. The Hindu Religious & Charitable
Endowment Department
Rep. by its Commissioner
Nungambakkam
Chennai 600 034
2. The Hindu Religious & Charitable
Endowment Department
Rep. by its Joint Commissioner
Gandhiji Road
Erode, Erode District
3. A/m.Arthanareeswarar Thirukkivil
Rep. by its Executive Officer/
Assistant Commissioner
Tiruchengode 637 211
Namakkal District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of



India for issuance of Writ of Mandamus directing the respondents either to issue public auction notice to run the religious book stall or to renew the license subject to fixation of 15% of the enhanced licence fee to enable the petitioner to carry on the book stall in front of western monumental tower (Gopuram) of A/m Arthanareesarar temple foot hills, Tiruchengode, Namakkal District by considering her representation dated 29.05.2023.

For Petitioner : Mr.M.Adhishree

For Respondents : Mr.S.Yaswanth
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to either issue public auction notice to run the book stall or to renew the license already given to the petitioner by collecting enhanced license fees from the petitioner at Ardhanadeeswarar Temple, Thiruchencode.

2. The grievance of the petitioner is that she was running a book stall in the temple and the period comes to an end on 30.06.2023. The petitioner found that the applications that were called for by the department had omitted to call for any applications for participating in the tender for running the book stall. In view of



the same, the petitioner has approached this Court for a direction to the respondent to either call for public auction to run the book shop or to extend the license given to the petitioner after collecting enhanced fees.

3. The learned Additional Government Pleader appearing on behalf of respondents on written instructions received from the Executive Officer of the temple submitted that a decision has been taken by the Government to run the book stalls in nearly 48 Senior grade temples and not to call for any applications and give it on tender basis. The learned Additional Government Pleader further submitted that the Ardhanadeeswarar Temple is also one of the temple where such a decision has been taken and hence, book stalls will be run by the respondents.

4. In the considered view of this Court, the relief sought for by the petitioner cannot be granted by this Court in view of the decision taken by the respondents. However, if the petitioner is aggrieved by the policy deviation that has been taken by the



respondents on any ground, it is left open to the petitioner to question the same in the manner known to law. Except giving this liberty, no further orders can be passed in this writ petition. The petitioner is given time till 31.07.2023 to vacate and hand over the book shop to the respondents. This Writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

27.06.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation case : Yes
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To

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N. ANAND VENKATESH, J.
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