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W.P.No.22055 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.07.2023

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.22055 of 2023
and
W.M.P.No.21438 of 2023

B.Dhayasekar

...Petitioner

Vs.

1.The Joint Commissioner
Office of the Joint Commissioner,
Hindu Religious and Charitable Endowment Board,
Kottaimariyamman Temple Campus,
Salem District.

2.C.Nandhakumar

3.C.Ashok Kumar

..Respondents.

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to take necessary action against the 2nd and 3rd respondents for collecting money in the name of petitioner's community temples namely Arulmighu Sri Periyandavar Thirukoil and Sri Veeramaathiyamman Thirukoil at Pagalpatti, Omalur Taluk, Salem District by considering the petitioner's representation dated 14.07.2023



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and the circulars issued by the Commissioner of HR & CE, Chennai in Na.Ka.No.65713/2022/Z1 dated 04.02.2023 and Na.Ka.No.65713/2022/Z1 dated 27.03.2023.

For Petitioner : Mr.R.Sankarasubbu

For Respondent1 : Mr.S.Yashwanth
Additional Government Pleader(HR&CE)

ORDER

The petitioner has come up with this writ petition seeking a direction to 1st respondent to take action against the 2nd and 3rd respondents based on the representation of the petitioner dated 14.07.2023.

2. It is the case of the petitioner that Arulmighu Sri Periyandavar Thirukoil and Sri Veeramaathiyamman Thirukoil situated at Pagalpatti, Omalur Taluk, Salem District belongs to 700 families of Kavara Naidu community residing at Pagalpatti village. Even according to the petitioner, the temple belongs to the said community people. It is the further case of the petitioner the respondents 2 and 3 are indulging in illegal activities and attempting to take over the administration of petitioner's community temple and destroy the heritage of the same. It is also stated by the petitioner that 2nd



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and 3rd respondents registered a trust in the name of “Arulmighu Sri Periyandavar Veeramaathi Amman Koil Trust” and indulging in collection of money from general public. In this regard, the petitioner submitted a representation to the 1st respondent on 14.07.2023 seeking his intervention in respect of the allegations made by the petitioner against the other respondents.

3. Mr.S.Yashwanth, learned Additional Government Pleader (HR&CE) takes notice for the 1st respondent.

4. In view of the limited prayer made by the petitioner, without expressing any opinion on the merits of the claim made by the petitioner, this Court is inclined to issue a direction to 1st respondent to consider the representation submitted by the petitioner dated 14.07.2023 and pass final orders on merits and in accordance with law after issuing notice to all the persons concerned within a period of eight weeks from the date of receipt of a copy of this order.



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5. With the above directions, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

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

The Joint Commissioner
Office of the Joint Commissioner,
Hindu Religious and Charitable Endowment Board,
Kottaimariyamman Temple Campus,
Salem District.



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S.SOUNTHAR, J.
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