



W.P.No.24001 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.24001 of 2023
and W.M.P.No.23501 of 2023

K.Arunagiri

...Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Chennai-600 034.

2.The Joint Commissioner
Hindu Religious and Charitable Endowments Department,
Dr.Balasundaram Road,
Coimbatore-18.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Coimbatore.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to permit the petitioner to conduct Thirupani in the temple, i.e A/m. Mariamman Thirukoil,



W.P.No.24001 of 2023

Vellakkinaru Village, Coimbatore Taluk, Coimbatore District after obtaining necessary reports and permission from the appropriate Committee/Authorities.

For Petitioner : M/s.G.Sumitra
For Respondents : Mr.S.Yashwanth
Additional Government Pleader
(HR & CE)

ORDER

The writ petition is filed seeking a direction to the 2nd respondent to permit the petitioner to conduct Thirupani in Arulmighu Mariamman Thirukoil, Vellakkinaru Village, Coimbatore Taluk after obtaining necessary reports and permission from the appropriate Committee/Authorities.

2.Earlier, the petitioner approached this Court in W.P.No.22156 of 2022 for direction to the 2nd respondent to consider his representation for performing Thirupani work in the above said temple and pass appropriate orders. This Court by order dated 29.08.2022, directed the 2nd respondent to consider the representation of the petitioner to carry out Thirupani work in the above said temple and pass final orders. Thereafter, the 2nd respondent passed an order on 25.01.2023, stating that as directed by this Court, the petitioner



W.P.No.24001 of 2023

was called for enquiry and his statement was reduced into writing, however, the petitioner refused to sign the statement and in the very same order, the 2nd respondent directed the 3rd respondent to prepare estimate for Thirupani to the above said temple and get approval from the Regional and State Level Hereditary Committee.

3.Subsequently, the petitioner submitted another representation on 26.04.2023, expressing his readiness to bear the entire expenses for carrying Thirupani for the above said temple. The petitioner also undertook that he would not claim any right only based on Thirupani works carried out by him.

4.Mr.S.Yashwanth, learned Additional Government Pleader (HR &CE) appearing for the respondents, on instructions submits that the performance of Kumbabishekam for the above said temple is stopped by various litigations filed by the petitioner and the building of the temple is not in good condition.

5.In view of the fact that even according to the written instruction received by the learned Additional Government Pleader, signed by the Fit person of the temple that the building of the temple is not in good condition,



W.P.No.24001 of 2023

WEB COPY
this Court is inclined to direct the 2nd respondent to consider fresh representation of the petitioner subsequent to enquiry by 2nd respondent.

6.Subsequent to the order passed by the 2nd respondent, the petitioner submitted a representation on 26.04.2023, expressing his willingness to bear the entire expenses for carrying out Thirupani work for the above said temple. The petitioner also mentioned in that letter that he would not claim any special right merely because he contributed for carrying out the Thirupani work. In these circumstances, the 2nd respondent is directed to consider the representation of the petitioner dated 26.04.2023 and pass appropriate orders for commencement of Thirupani work by directing the 3rd respondent to get necessary approval from the Regional and State Level Hereditary Committee within the time stipulated.

7.The right of the petitioner regarding administration and management of the temple has to be worked out by the petitioner in the Statutory suit filed by him and also in the writ petition filed by him, challenging the appointment of Fit person.



W.P.No.24001 of 2023

8. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.08.2023

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

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Chennai-600 034.
- 2.The Joint Commissioner
Hindu Religious and Charitable Endowments Department,
Dr.Balasundaram Road,
Coimbatore-18.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Coimbatore.



WEB COPY



W.P.No.24001 of 2023

S.SOUNTHAR, J.
nti

W.P No.24001 of 2023

16.08.2023