



W.P.No.26794 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

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Vada Thirumullaivoyal Grama Makkal Podhu Nala Sangam
Represented by its President
T.K.Viswanathan
Son of Karunakaran
having office at
No.47, Kulakarai Street,
Thirumullaivoyal,
Chennai-600 062

...Petitioner

Vs.

- 1.The Commissioner
Hindu Religious and Charitable and Endowments Department,
199, Uthamar Gandhi Road,
Thousand Lights West,
Tamil Nadu 600 034.
2. The Joint Commissioner,
Chennai Division-I,
Office of Joint Commissioner,
Hindu Religious and Charitable and Endowments Department,
Yadaval Street, Padi, Chennai – 600 050.



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3. The Assistant Commissioner,
Chennai Division-I,
Office of Assistant Commissioner,
Hindu Religious and Charitable and Endowments Department,
Yadaval Street, Padi, Chennai-600 050.

4. The Executive Officer,
Sri.Pidari Ettiamman Thirukovil,
Arulmigu Thiru.Valleeswarar Thirukovil,
Hindu Religious and Charitable and Endowments Department,
Padi, Chennai – 600 050.

5. Uma ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st to 4th respondents to consider the representation dated 09.08.2023 in so far as to remove and dismiss the 5th respondent from doing daily poojas and any other activities in the “Arulmigu Pidari Ettiamman Thirukovil” comprised in Survey No.247 situated at No.1, Ettiamman Kovil, Thirumullaivoyal, Chennai-600 062, within the Avadi Taluk, Thiruvallur District within a time frame as fixed by this Court.

For Petitioner : Mr.S.John Josh

For Respondents : Mr.K.Karthikeyan,
Government Advocate
For R1 to R4



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ORDER

The petitioner herein seeks a direction to the respondents 1 to 4 to consider his representation dated 09.08.2023 and pass necessary orders for removal of 5th respondent from the post of poojari of the temple called Arulmigu Pidari Ettiamman Thirukovil, Thirumullaivoyal, Chennai – 600 062.

2.It is the case of the petitioner that he is worshipper of the above said temple and the 5th respondent has been performing the functions of poojari of the above said temple. The petitioner submitted a representation to the respondents 1 to 4, making certain allegations against the 5th respondent and the said representation has not be considered by the respondents till date. Therefore, the petitioner is before this court.

3.Mr.K.Karthikeyan, learned Government Advocate (HR & CE), who takes notice for the respondents 1 to 4 on instructions, submits that the representation of the petitioner will be considered on merits in due course. The learned Government Advocate further submits that the 4th respondent is also exercising the functions of fit person of the above said temple.



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4. In view of the stand taken by the learned Government Advocate, this Court without expressing any opinion on the merits of the claim made by the petitioner, is inclined to direct the 4th respondent to consider the representation of the petitioner dated 09.08.2023 and pass final orders on merit and in accordance with law, after issuing notice to the petitioner and the 5th respondent within a period of twelve [12] weeks from the date of receipt of copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs.

13.09.2023

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



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To

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3. The Assistant Commissioner,

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S.SOUNTHAR, J.

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