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W.P. No. 28824 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 28824 of 2023

Ravi

... Petitioner

-VS-

1. The Commissioner
Hindu Religious and Charitable Endowments Department
No.119, Uthamar Gandhi Salai
Nungambakkam, Chennai – 600 034.

2. The Joint Commissioner
Hindu Religious and Charitable Endowments Department
No.1, Perundurai Road
Erode.

3. The Executive Officer
Arulmigu Atthanoor Amman Thirukoil
Sitthalandur, Tiruchengode Taluk
Namakkal District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to permit the Petitioner and other poojaries to perform the poojas to the Temple, namely Arulmigu Atthanoor Ammal Thirukoil, Sitthalandur Tiruchengode Taluk, Namakkal District by considering the Petitioner's petition dated 08.01.2018 and representations dated 31.03.2023 and 02.08.2023 within the time frame fixed by the Court.



W.P. No. 28824 of 2023

For Petitioner : Mr. S.Sivakumar

For Respondents : Mr. K.Karthikeyan, GA

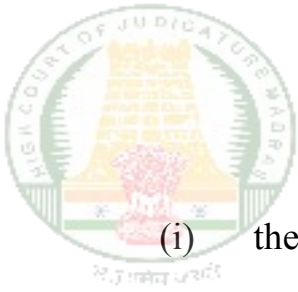
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ORDER

Heard Mr. S.Sivakumar, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. It is the case of the Petitioner that he is a Poosari of Arulmigu Atthanoor Ammal Thirukoil in Sitthalandur Tiruchengode Taluk of Namakkal District and that he had been restrained from conducting Poojas in the said Temple. In that backdrop, the Petitioner claims to have made representation dated 08.01.2018 followed by reminders dated 31.03.2023 and 02.08.2023, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-



W.P. No. 28824 of 2023

- (i) the concerned authority shall immediately examine the representations dated 08.01.2018, 31.03.2023 and 02.08.2023 made by the Petitioner including ascertaining as to whether he would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 10 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard; and
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment.
- (v) the report of such compliance shall be filed by 31.12.2023 before the Registrar (Judicial) of this Court.



W.P. No. 28824 of 2023

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

19.10.2023

Maya

NCS : Yes/No

Index: Yes/No

Note: Issue order copy by 02.11.2023.

To

1. The Commissioner
Hindu Religious and Charitable Endowments Department
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W.P. No. 28824 of 2023

P.D. AUDIKESAVALU, J.

Maya

W.P. No. 28824 of 2023

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