



W.P. (MD) No. 322 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W.P. (MD) No. 322 of 2023

and

W.M.P. (MD) Nos. 318, 319 and 321 of 2023

A.Palanivel

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments
Administrative Department,
Nungambakkam, Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.

3.The Executive Officer,
Arulmigu Kottai Mariyamman Thirukovil,
Dindigul.

4.The Hereditary Trustees,
Arulmigu Kottai Mariyamman Thirukovil,
Dindigul.

5.R.Gunasekaran

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned orders of the 1st respondent in A.P.21/2017 (D2) dated 17.02.2020 and the 2nd respondent in OA No.06/2006 dated 14.10.2016 and quash the same and consequently directing the respondents to allow the petitioner Kurumbar Community people to participate in the Third day of Mandagapadi in Arulmigu Kottai Mariyamman Temple at Dindigul which is scheduled in the month of February 2023.

For Petitioner : Mr. S.Ramasundarvijayraj

For Respondents : Mr. T.Villavankothai
Additional Government Pleader (R1 & R2)

Mr. VR.Shanmuganathan (R3 & R4)

Mr. S.Madhavan (R5)

O R D E R

Heard Mr. S.Ramasundarvijayraj, Learned Counsel for the Petitioner, Mr. T.Villavankothai, Learned Additional Government Pleader for the First and Second Respondents, Mr. VR.Shanmuganathan, Learned Counsel for the Third and Fourth Respondents and Mr. S.Madhavan, Learned Counsel for the Fifth Respondent and perused the materials placed on record, apart from the



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pleadings of the parties.

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2. The Petitioner has challenged the order dated 17.02.2020 in A.P. 21/2017 (D2) passed by the First Respondent on the ground that it does not contain any reason. However, on perusal of the said order, it is evident that it contains a note, which reads as follows:-

“ Note: Certified copy of annexure to the order containing the grounds will be furnished on receipt of a regular copy application duly affixed with a Court fee stamp of 0.25 p. with sufficient number of copy stamp papers valued at Re.1/-.”

Learned Additional Government Pleader appearing for the First Respondent, on instructions, states that the Petitioner has not applied for certified copy of the annexure containing the grounds till date.

3. In such circumstances, it is not possible to entertain the Writ Petition, but it is made clear that it would not preclude the Petitioner from working out his available remedies after applying and obtaining the annexure containing grounds for the impugned order before the proper forum in the manner recognized by law. It is needless to add here that no view expressed by this



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Court on the merit of the controversy involved in the matter.

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In the result, the Writ Petition is dismissed with the aforesaid observations. Consequently, connected Miscellaneous Petitions are closed.

No costs.

12.01.2023

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NCC : Yes/No

Index : Yes/No

Note: Issue order copy by 30.01.2023.

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Administrative Department,
Nungambakkam, Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.
- 3.The Executive Officer,
Arulmigu Kottai Mariyamman Thirukovil,
Dindigul.
- 4.The Hereditary Trustees,
Arulmigu Kottai Mariyamman Thirukovil,
Dindigul.



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P.D.AUDIKESAVALU,J.

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12.01.2023