



W.P. (MD) No. 2077 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.02.2023

CORAM

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

W.P.(MD) No. 2077 of 2023

Darwin Bright

... Petitioner

Vs.

1. The Principal Secretary,
Hindu Religious and Charitable
Endowment,
Secretariat, Government of Tamil Nadu,
Fort St.George, Chennai 600 009.
2. The Commissioner,
Hindu Religious and Charitable
Endowment,
No.119, Uthamar Gandhi Road,
Chennai 600 034.
3. The District Collector,
Kanyakumari District at Nagercoil.
4. The Joint Commissioner / Executive Officer,
Kanyakumari District,
Thirukovilgal, Suseendram Post,
Kanyakumari District.



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5. The Joint Commissioner / Fit Person,
Kanyakumari District
Thirukovilgal,
Joint Commissioner Officer,
Palayamkottai, Tirunelveli 627 002.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the respondents to strictly follow the Rule 4 of the Installation, Safeguarding and Accounting of Hundial Rules, 1975, during the Maha Sivarathiri Festival scheduled on 18.02.2023 at 12 Sivalaya Temples in Killiyoor, Vilavankode, Thiruvattar and Kalkulam Taluks of Kanyakumari District, based on the petitioner's representation dated 30.09.2022 within the period stipulated by this Hon'ble Court.

For Petitioner : Mr. Ananth C.Rajesh

For Respondents : Mr. P.Subbaraj
Special Government Pleader
For R1 & 2

Mr. D.Gandhiraj
Special Government Pleader
For R3

Mr. K.Sathiyasingh For R4 & R5



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ORDER

Heard Mr. Ananth C.Rajesh, Learned Counsel for the Petitioner, Mr. P.Subbaraj, learned Special Government Pleader appearing for First and Second Respondents, Mr. D.Gandhiraj, Learned Special Government Pleader appearing for the Third Respondent, and Mr. K.Sathiyasingh, Learned Counsel for the Fourth and Fifth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Respondents to strictly follow the Rule 4 of the Installation, Safeguarding and Accounting of Hundials Rules, 1975, during the Maha Sivarathiri Festival scheduled on 18.02.2023 at 12 Sivalaya Temples in Killiyoor, Vilavankode, Thiruvattar and Kalkulam Taluks of Kanyakumari District, by considering the representation dated 30.09.2022 made by the Petitioner in that regard.

3. The Fourth Respondent has filed a memo dated 07.02.2023 stating as follows:-

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“As per the Rule 4 of the Installation Safeguarding and Accounting of Hundials Rules, 1975, already the said Rule the respondent temples followed. As per the rule the 2nd respondent Commissioner also periodically instructed the officials of the respondent's temple. The officials also followed the instructions from the Commissioner.”

In view of the aforesaid action taken by the Respondents on the representation made by the Petitioner, nothing remains for further consideration in the Writ Petition, but in the event of failure of the Respondents to comply with the said representation, it would not preclude the Petitioner from seeking to take corrective measures in that regard.

In the result, the Writ Petition is disposed with the aforesaid observations.

No costs.

13.02.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes /No
PKN

Note: Issue copy of the order by 14.02.2023

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To

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P.D. AUDIKESAVALU, J.

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