



W.P. (MD) No. 2508 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2023

CORAM

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

W.P. (MD) No. 2508 of 2023

R.Sridharan

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uttamar Gandhi Road,
Nungambakkam, Chennai 34.
2. Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sacidhananda Mooppanar Salai,
Thanjavur 613001.
3. Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
SM Road,
Thanjavur Town 613001.
4. The Executive Officer,
Arulmigu Subramaniaswami Thirukoil,
Illuppakarai, Papanasam Taluk,
Thanjavur 625301.

... Respondents



W.P. (MD) No. 2508 of 2023

WEB COPY

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, restraining the respondents, their men and subordinates from interfering with the affairs of the private temple Sri Ranganatha Swamy Temple situated at Tirumandangudi Village, Papanasam Taluk under the control, management and administration of the petitioner without following due process of law .

For Petitioner : Mr. S.N.Parthasarathi
For Respondents 1 - 3 : Mr. T.Villavankothai
Additional Government Pleader
For Respondent No.4 : Mr. V.Chandrasekar

ORDER

Heard Mr. S.N.Parthasarathi, Learned Counsel for the Petitioner, Mr. T.Villavankothai, Learned Additional Government Pleader appearing for the First to Third Respondents and Mr. V.Chandrasekar, Learned Counsel for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.



W.P. (MD) No. 2508 of 2023

WEB COPY

2. The Writ Petition has been filed for restraining the Respondents, their men and subordinates from interfering with the affairs of the private temple viz., Sri Ranganatha Swamy Temple situated at Tirumandangudi Village, Papanasam Taluk, by taking it under their control without following due process of law.

3. The Fourth Respondent has filed Counter Affidavit contending that by Proceedings in Nata.Na.Ka.No.1459/88/A8 dated 20.03.1988, a Fit Person was appointed by the Assistant Commissioner, Hindu Religious and Charitable Endowments Department, Thanjavur, and its copy has been produced without any proof of having served the same to the Petitioner. In such circumstances, it is not possible to accept the contention of the Fourth Respondent that the Fit Person is entitled to deal with the administration of the Temple of the Fourth Respondent. It is hastened to clarify here that it would not preclude the concerned authorities from taking any action in accordance with law and the Petitioner is not precluded from resisting the same by raising available defences and that no view has been expressed by the Court on the merits of the controversy in that regard.



W.P. (MD) No. 2508 of 2023

WEB COPY In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

16.02.2023

Index : Yes/No
Internet : Yes /No
sj

Note : Issue copy of the order by 24.02.2023

To

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uttamar Gandhi Road,
Nungambakkam, Chennai 34.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sacidhananda Mooppanar Salai,
Thanjavur 613001.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
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W.P. (MD) No. 2508 of 2023

P.D. AUDIKESAVALU, J.

sj

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