



W.P. (MD) No. 2701 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2023

CORAM

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

W.P. (MD) No. 2701 of 2023

and

W.M.P (MD) No. 2458 of 2023

C.Angusamy

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tiruppur.
(Cause-title amended *vide* order
dated 13.02.2023 in W.M.P(MD)
No.2645 of 2023)
3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Karur.



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(Cause-title amended *vide* order
dated 13.02.2023 in W.M.P(MD)
No.2645 of 2023)

4. The Special Officer/ Thakkar,
Arulmigu Sri Sithanadha Samedha Angala
Parameshwari Temple, Varavanai,
Kulithalai Taluk, Karur District.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Mandamus, directing the respondents herein to permit the petitioner and four other persons appointed by the Shri Varavanai Angalaparameshwari Aalaya Arakattalai *vide* its resolution dated 07.01.2022 to perform poojas including the Sivarathiri Moolavar Pooja for the Varavanai Arulmigu Sri Sithanandha Samedha Angala Parameshwari Temple, Varavanai, Kulithalai Taluk, Karur District by considering the petitioner's representation dated 30.01.2023 within the period that may be stipulated by this Honble Court.

For Petitioner : Mr. M.Ajmal Khan, Senior Counsel

For Respondents : Mr. P.Subbaraj
Special Government Pleader
For R1 to R4

Mr. Ramsundar Vijayaraj
and
M/s.R.Meenakumari
for Proposed Respondents



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ORDER

Heard Mr. M.Ajmal Khan, Learned Senior Counsel for the Petitioner, Mr. P.Subbaraj, learned Special Government Pleader appearing for the First to Fourth Respondents, Mr. Ramsundar Vijayaraj, Learned Counsel for the Proposed Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed directing the Respondents to permit the Petitioner and four other persons appointed by the Shri Varavanai Angalaparameshwari Aalaya Arakattalai by its resolution dated 07.01.2022 to perform poojas including the Sivarathiri Moolavar Pooja for the Varavanai Arulmigu Sri Sithanandha Samedha Angala Parameshwari Temple, Varavanai, Kulithalai Taluk, Karur District, by considering the representation dated 30.01.2023 made by the Petitioner in that regard.



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3. Learned Special Government Pleader appearing for the First to Fourth Respondents, on instructions, states that the enquiry on the said representation has been fixed on 15.03.2023 before the Second Respondent and he has filed a memo to that effect, which is placed on record.

4. The Second Respondent, after due notice to all parties concerned, shall conduct an enquiry affording full opportunity of personal hearing to them and pass a reasoned orders dealing with each of the contentions raised on merits and in accordance with law. It shall be ensured that there is atleast one effective hearing every week showing progress of the case. It is needless to add here that no view is expressed by this Court on merits of the controversy involved in the matter.

5. At the same time, it is accepted by Learned Senior Counsel for the Petitioner that the existing arrangement for the Maha Shivarathri Festival which falls on 18.02.2023 this year shall be followed in terms of the order dated 07.03.2016 in W.A. (MD) No. 364 of 2016 passed by the Division Bench of the Court as an interim measure till the disputes between the contesting parties is amicably resolved.



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

Consequently, the connected Miscellaneous Petition is closed. No costs.

13.02.2023

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NCC : Yes/No

Index : Yes/No

Internet : Yes /No

PKN

Note: Issue copy of the order by 23.03.2023

To

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department, Tiruppur.
3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department, Karur.
4. The Special Officer/ Thakkar,
Arulmigu Sri Sithanadha Samedha Angala
Parameshwari Temple, Varavanai,
Kulithalai Taluk, Karur District.



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P.D. AUDIKESAVALU, J.

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Dated : 13.02.2023
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