



WP(MD)No.5998/2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2023

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

WP(MD)No.5998/2023 &
WMP(MD)No.5611/2023

S.Thenan

... Petitioner

(The second petitioner is deleted from the array of parties vide Court order dated 21.03.2023 in WP(MD)No.5998/2023)

Vs.

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to grant permission for conducting 'Karagam Edupu Thiruvizha' at Arulmigu Malayala Sastha Ayyanar Temple, K.Pudhupatti, Dharmapatti Post, Singamalai Taluk, Sivagangai District and 'Pongal Festival' by tying 'Kappu' on and from the 8th day at Sri Muthumariamman Temple,



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K.Pudhupatti, Dharmapatti Post, Singamalai Taluk, Sivagangai District
on the basis of the petitioner representation dated 21.02.2023.

For Petitioner : Mr.R.G.Sankar Ganesh
For Respondents : Mr.P.Subbaraj,
Special Government Pleader

ORDER

The writ petition is filed for a mandamus directing the respondents to grant permission for conducting Karagam Edupu Thiruvizha at Arulmigu Malayala Sastha Ayyanar Temple, K.Pudhupatti, Dharmapatti Post, Singamalai Taluk, Sivagangai District and Pongal Festival by tying Kappu on and from the 8th day at Sri Muthumariamman Temple, K.Pudhupatti, Dharmapatti Post, Singamalai Taluk, Sivagangai District on the basis of the petitioner representation dated 21.02.2023.

2. The writ petition is filed by two petitioners. The second petitioner, namely, N.Sathappan Poosari, claims to be the Poosari of the



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Temple. However, from a perusal of the orders in WP(MD)No. 12045/2021 dated 16.07.2021 and WP(MD)No.12081/2022 dated 17.11.2022, it is clear that the second petitioner is yet to be recognized as a Poosari and therefore, he cannot seek to canvass this writ petition as a Poosari of Arulmigu Malayala Sastha Ayyanar Temple. On the other hand, the first petitioner has been recognized as the Hereditary Trustee by the first respondent in his proceedings in MP.No.3/2022 dated 15.09.2022.

3. According to the learned counsel for the respondents also, the second petitioner's right as a Poosari is yet to be declared. Therefore, the second petitioner contesting this petition in the capacity of Poosari at this stage is premature and he is deleted from the array of parties.

4. Considering the limited nature of relief claimed, the writ petition is disposed of with a direction to the first respondent to consider the representation of the first petitioner dated 21.02.2023 and pass orders thereon, after hearing the interested parties. The said exercise shall be



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completed on or before 24.03.2023. No costs. Consequently, the connected Miscellaneous Petition is closed.

21.03.2023

NCC:Yes/No

Index:Yes/No

Speaking/Non-speaking order

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To

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai



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P.T.ASHA, J.

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