



W.P.(MD) No.6061 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P.(MD) No.6061 of 2023
and
W.M.P.(MD) No.5716 of 2023**

1.Vellaigangai

2.C.Murugan

... Petitioners

-vs-

1.The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
Madurai

2.The Executive Officer
Arulmigu Muniyandi Swamy Vagaiyara Thirukovil
Alanganallur, Vadipatti Taluk
Madurai

3.The Thakar / Fit Person
Arulmigu Muniyandi Swamy Vagaiyara Thirukovil
Alanganallur, Vadipatti Taluk
Madurai

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the 2 and 3 respondents herein to conduct the “Panguni Perunthiruvizha” of Arulmigu Muniyandi Swamy Vagaiyara Thirukkivil, Alanganallur, Madurai District, from 04.04.2023 to 08.04.2023 without any interference from any unauthorized / temporary festival committee by considering the petitioners' representation dated 25.02.2023.

For Petitioners : Mr.V.Meenakshi Sundaram
for Mr.S.Vashik Ali

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.P.Subbaraj
Special Government Pleader for R1
Dr.Ramesh Mahadev for R2

ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

Prayer in this writ petition reads as follows:

“For the reasons stated in the accompanying Affidavit, it is therefore prayed that this Hon'ble Court may be pleased to issue a writ or order or direction, more in the nature of WRIT OF MANDAMUS directing the 2 and 3 respondents herein to conduct the “Panguni Perunthiruvizha” of Arulmigu Muniyandi Swamy Vagaiyara



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Thirukkovil, Alanganallur, Madurai District, from 04.04.2023 to 08.04.2023 without any interference from any unauthorized / temporary festival committee by considering the petitioners' representation dated 25.02.2023 and pass appropriate orders and pass such other further orders that may deemed to be fit and proper in the facts and the circumstances of the case and thus render justice.”

2. We had, upon noticing the fact that festival committees were formed in violation of the representations and undertakings made to this Court, issued a notice of contempt to the Commissioner, Hindu Religious and Charitable Endowment Department. Upon notice, the Commissioner, Hindu Religious and Charitable Endowment Department, had appeared before this Court and filed circulars evidencing the fact that the officers of the Hindu Religious and Charitable Endowment Department have been instructed to desist from appointing any festival committees and the fact that appropriate disciplinary action has also been initiated against the officers, who have formed such committees contrary to the representation made before this Court. On being satisfied with the explanation offered by the Commissioner, Hindu Religious and Charitable Endowment Department, we had closed the contempt proceedings.



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3. In view of the said developments, the very prayer in this writ petition has become infructuous. Hence, this writ petition is closed. It is, however, made clear that the closure of this writ petition will not give any right to the officials of the Hindu Religious and Charitable Endowment Department to commit illegalities in the name of nominating committees for conduct of festivals. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

16.06.2023

(1/2)

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

Note :

The original documents i.e. donation slips filed by the learned counsel for the second respondent are directed to be returned to him, after obtaining necessary acknowledgment.

krk

To:

The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Madurai.



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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(1/2)