



**W.P(MD)No.6302 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 23.03.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

**W.P(MD)No.6302 of 2023**

1.C.Manickam

2.C.Mani

3.Rajendran

4.P.Nagarajan

... Petitioners

**Vs.**

1.The District Collector

Madurai,

Madurai District.

2.The Joint Commissioner

Hindu Religious and Charitable Endowments Department,

Madurai District.

3.The District Revenue Officer

Melur Taluk,

Madurai District.



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4.The Assistant Commissioner

Hindu Religious and Charitable Endowments Department,  
Melur Taluk,  
Madurai District.

5.The Revenue Divisional Officer,

Melur Taluk,  
Madurai District.

6.The Tahsildar

Melur Taluk,  
Madurai District.

7.S.Selvam

8.V.Muthuramalingam

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents No.1, 3, 5 and 6 to conduct peace committee meeting and to stop the discriminatory practice of First Respect or Mudhal Mariyathai based on communities in the temples at E-Malampatti, Melur Taluk, Madurai District, by considering the detailed representation of the third petitioner dated 19.12.2022.



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For Petitioners : Mr.K.C.Ramalingam

For Respondents : Mr.N.Muthu Vijayan - for RR1, 3, 5 & 6  
Special Government Pleader

Mr.M.Senthil Ayyanar - for R2 & R4  
Government Advocate

### **ORDER**

The learned Special Government Pleader takes notice on behalf of the respondents 1, 3, 5 and 6. The writ petition is disposed of even without issuing notice to seventh and eighth respondents.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The writ petition has been filed in the nature of a Mandamus, seeking a direction against the respondents 1, 3, 5 and 6 to conduct Peace Committee Meeting and to stop the discriminatory practice relating to 'First Respect' or 'Mudhal Mariyathai' on the basis of



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communities in the temples at E.Malampatti, Melur Taluk, Madurai District.

4. There are four temples at that particular village namely, 1) Sri Neyvelinatha Ayyanar Kovil, 2) Sri Ujjini Magali Amman Kovil, 3) Malaiyandi Samy Thirukovil and 4) Sri Vinayagar Kovil. Among the four temples, Sri Neyvelinatha Ayyanar Kovil is a temple under the control of the Hindu Religious and Charitable Endowment Department, Madurai. The petitioner had given a representation on 19.12.2022, wherein, he had stated that Mudhal Mariyadhai is to be given without community as the basis and to consider the representation of all the people in the said village.

5. The petitioners are directed to give a fresh representation to the second respondent / Joint Commissioner, Hindu Religious and Charitable Endowment Department, Madurai District, who may also get an opinion from the Assistant Commissioner, Hindu Religious and Charitable Endowment Department, Melur Taluk, Madurai District and examine the issue of Mudhal Mariyadhai in the aforementioned four



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temples and issue notice not only to the petitioners but also to the respondents 7 and 8 in the writ petition namely, Selvam, son of Sethu Thevar, No.15/1, Rajaji Salai, Senthil Nagar, Thirumullaivayil, Chennai - 600 062 and V.Muthuramalingam, son of Vellakaruppan, E-Malampatti Village, Melur Taluk, Madurai District - 625 102 and in the presence of all the parties, come to a judicious decision in accordance with the provision under Section 63(E) of the Hindu Religious and Charitable Endowments Act, 1959.

6. The said provision is with respect to the nature in which, festivals are to be conducted in a temple and maintenance of the existing conventions to be followed in the conducting of festivals in any temple. Even though, three of the temples are not, according to the petitioner, under the control of the Hindu Religious and Charitable Endowment Department, still the Joint Commissioner may examine the said issue even with respect to the said three temples.

7. The petitioners are directed to give a representation on or before 31.03.2023 and a decision is to be taken within a period of



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Sixteen (16) weeks by the Joint Commissioner, Hindu Religious and Charitable Endowment Department, Madurai District. No further orders are required.

8. With the above direction, the writ petition stands disposed of. No costs.

**23.03.2023**

Index : Yes/No  
Internet : Yes/No  
NCC : Yes / No  
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**C.V.KARTHIKEYAN, J.**

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