



W.P.(MD).No.10276 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.10276 of 2023

Arunkumar

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by the Principal Secretary,
Department of Tourism, Culture and Religious
Endowment,
No.119, Uthamar Gandhi Road,
Thousand Lights West,
Nungambakkam,
Chennai – 600 034.
- 2.The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Road,
Thousand Lights West,
Nungambakkam,
Chennai – 600 034.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
W484 + C5C, B1 Road,
Ellis Nagar,
Madurai – 625 016.



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4.Selvam

5.Krishnasamy

6.Selvaraj

7.T.Rajendran

8.A.S.Pandiyan

9.Mayilrajan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representations dated 17.04.2023 and 11.04.2023 demanding institution of appropriate legal measures to undertake the administration of the above said Arulmighu Rajathiyamman Thirukovil situated at Koodakovil, Thirumangalam Taluk, Madurai District.

For Petitioner : Mr.B.N.Raja Mohamed

For R-1 to R-3 : Mr.S.P.Maharajan,
Special Government Pleader.

For R-4 to R-9 : M/s.A.Dharani



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ORDER

This Writ Petition is filed for Mandamus, directing the respondents 1 to 3 to consider the petitioner's representations dated 17.04.2023 and 11.04.2023 demanding institution of appropriate legal measures to undertake the administration of the above said Arulmighu Rajathiyamman Thirukovil situated at Koodakovil, Thirumangalam Taluk, Madurai District.

2. The contention of the petitioner is that he was under stress during 2020. Thereafter, he visited the Arulmighu Rajathiyamman Thirukovil. Based on the guidelines and the blessings of the said deity, the petitioner was relieved from stress. The Temple authority, namely, one Mahalingam was guiding the petitioner to get out of his stress. The said Mahalingam requested the petitioner for some contribution to the Temple. According to the petitioner, he has paid Rs.5,77,000/- to the Temple and Rs.1,73,000/- to the said Mahalingam. The further contention of the petitioner is that after such payment, the said Mahalingam gave an assurance that the said amount will be utilized for renovation of the Temple. The allegation of the petitioner is that the said Mahalingam has not taken any renovation work, inspite of donation given to



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the temple, hence the petitioner alleges that there is financial mismanagement in the temple. Therefore, the petitioner submitted representations to the Hindu Religious and Charitable Endowments Department to take appropriate action against the Temple.

3. The learned counsel appearing for the respondents 4 to 9 submitted that the said Temple comes under the Management of HR and CE Department. However, the Temple was started by their ancestors and there are 300 and more Pangalis who are entrusted with the Management. The Pangalis would manage from their own funds and they will not demand any donation from the outsiders. However, if the outsiders are willing to donate on their own and the same will not restrict as well. In the petition, the petitioner has granted donation on his own. However, he has granted some amount to the said Mahalingam. After such payment to the said Mahalingam, he started threatening the said Mahalingam as well as the Temple administration and he stated poking nose in each and every imaginary issues which are not in existence. Therefore, the learned counsel appearing for the respondents 4 to 9 vehemently resisted the petition.



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4. The learned counsel appearing for the respondents 1 to 3 submitted that as on date, there is no complaint from any quarters, except the complaint from the writ petitioner. On instructions, it is submitted that over all administration of the Temple is proper. Therefore, the claim of the petitioner cannot be entertained.

5. After hearing rival submissions, this Court is of the considered opinion that since because the petitioner has donated some amount to the Temple, he cannot interfere in each and every aspect of the Temple. If the petitioner is not inclined to donate, then the petitioner is at liberty not to donate. The attitude of the petitioner appears that he wants to take over the Temple and that cannot be permitted. It is the statement of the petitioner that after donating some amount to the Temple, he was relieved from stress and now he is stress free person. The petitioner had donated to the temple for the reason he was under stress and when he had become free from such stress, then he cannot reclaim the donation. Hence, there is no sustainable ground to interfere in the administration of the Temple and the Writ Petition cannot be entertained.



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6. With the above observations, this Writ Petition is dismissed. There shall be no order as to costs.

7. Before parting with the order, this Court with pain, records that the faith in God has been reduced to contract by donating to the temple. And by reclaiming the donation, the petitioner is confirm the same.

06.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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S.SRIMATHY, J.

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