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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.17985 of 2023
and
W.M.P(MD)No.15019 of 2023

A.Varadharajan

... Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Virudhunagar.
3. The Tahsildar,
Rajapalayam,
Virudhunagar District.
4. Selvam

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 & 2 herein to take steps to open Sree Sakthi Kali Amman Thirukoil, Sundara Nachiarpuram, Rajapalayam Taluk, Virudhunagar District by appointing a fit person to the said temple and ensure free and peaceful worship in the said temple by the general public.

For Petitioner : Mr.V.R.Shanmuganathan
For R-1 to R-3 : Mr.R.Ragavendran
Government Advocate

ORDER

This writ petition has been filed for Writ of Mandamus, directing the respondents 1 & 2 herein to take steps to open Sree Sakthi Kali Amman Thirukoil, Sundara Nachiarpuram, Rajapalayam Taluk, Virudhunagar District by appointing a fit person to the said temple.

2. Heard Mr.V.R.Shanmuganathan, the Learned counsel appearing for the petitioner and Mr.R.Ragavendran, the Learned Government Advocate appearing for the respondents 1 to 3 and perused the material documents available on record.



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3. Admittedly, there are two rival groups. Therefore, this Court directed the petitioner to suggest names from each group and a common person preferably an Advocate, who is residing in an around the temple, so the three members Committee can be constituted to reopen and administer the temple, so that the temple is opened for devotees to worship. Accordingly, the petitioner has suggested two names, namely; (i) Palani Malai and (ii) Mathuraiveeran. The petitioner has suggested an Advocate, namely; R.Baskar, Advocate, Enroll No. 2330/2015, No.46, Saratha Nagar, Kalangaperi, Chockkalingampuram Post, Rajapalayam Taluk, Virudhunagar District.

4. The said three members shall constitute a committee and their mandate is to reopen the temple and administer the temple for a period of one year. The petitioner and the 4th respondent shall submit a petition under Section 64 of HR & CE Act to the respondents to formulate a scheme and the said petition shall be filed within a period of four weeks. Thereafter the said petition shall be considered within a period of one year therefrom.



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5. The Tahsildar/3rd respondent herein is directed to hand over the Key to the Committee members, within a period of One week from the date of receipt of a copy of the Order.

5. With the above terms, this Writ Petition is allowed. No Costs.

Index : Yes / No
Internet : Yes
NCC : Yes / No
Ksa

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To

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Hindu Religious and Charitable Endowments Department,
Chennai.
2. The Assistant Commissioner,
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Virudhunagar.
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S.SRIMATHY, J

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