



W.P.(MD).No.18386 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.18386 of 2023

M.Rajendran

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Road,
Nungambakkam,
Chennai – 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
S.M.Road, Near Temple Tower Hotel,
Thanjavur – 613 001.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pudukottai,
Pudukottai District.
- 4.The Executive Officer,
Hindu Religious and Charitable Endowment Department,
Pudukottai Devasthanam,
Pudukottai District.



W.P.(MD).No.18386 of 2023

5.The Tahsildar,
Tahsildar Office,
Ponnamaravathi,
Pudukottai District.

6.P.Durai Raj

... Respondents

*(R-6 is impleaded vide Court Order dated 01.08.2023 in W.M.P.(MD).
No.15475 of 2023 in W.P.(MD).No.18386 of 2023)*

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 4 to grant permission perform the Goat sacrifice and other ritual ceremony such as “Sami Aaduthal” for deity Sri Arulmigu Adaikalam Kathaar Temple situated in Keelathaniyam Village, Ponnamaravathi Taluk, Pudukkottai District which is scheduled to be held on 04.08.2023 by considering the petitioner's representation dated 08.07.2023.

For Petitioner : Mr.M.P.Senthil

For R-1, R-3
and R-5 : Mr.S.P.Maharajan,
Special Government Pleader.

For R-4 : Mr.G.Mathavan

For R-6 : Mr.Babu Rajendran

ORDER

This Writ Petition is filed for Mandamus directing the respondents 1 to 4 to grant permission to perform the Goat sacrifice and other ritual ceremony such as “Sami Aaduthal” for deity Sri Arulmigu Adaikalam Kathaar Temple



W.P.(MD).No.18386 of 2023

situated in Keelathaniyam Village, Ponnamaravathi Taluk, Pudukkottai District which is scheduled to be held on 04.08.2023 by considering the petitioner's representation dated 08.07.2023.

2. Heard Mr.M.P.Senthil, learned counsel for the petitioner, Mr.S.P.Maharajan, learned Special Government Pleader appearing for the respondents 1, 2, 3 and 5, Mr.G.Mathavan, learned counsel appearing for 5th respondent and Mr.Babu Rajendran, learned counsel appearing for 6th respondent.

3. Earlier one person namely, Durairaja has filed Writ Petition in W.P.(MD)No.16699 of 2023 and this Court has disposed of the said writ petition. The Learned Counsel who appeared for said Durairaja in W.P.(MD)No.16699 of 2023 has objected to the present Writ Petition by stating that the petitioner has not impleaded the said Durairaja and the petitioner is attempting to obtain an order behind his back.

4. Today when the matter is taken up for hearing, the petitioner has impleaded one Durairaj by filing impleading petition in W.M.P.(MD).No.15475 of 2023 and the same is allowed vide order dated 01.08.2023.



W.P.(MD).No.18386 of 2023

WEB COPY

5. The Learned Counsel appearing for the impleaded respondent submitted that the prayer in this Writ Petition itself is wrong, because the earlier Writ Petition was filed to consider the representation dated 08.07.2023 and order has already been passed. Now again the petitioner had filed this writ petition to consider the same representation. However, the petitioner has clarified the same by stating that it is a typographical error. The petitioner has filed a representation dated 24.07.2023 and the same ought to be considered. Therefore, this Court is of the considered opinion that even though the date of representation is mentioned wrongly, it is only typographical error and this Court is taking into account the date of representation as 24.07.2023.

6. The impleading respondent also submitted that he has also submitted a representation dated 24.07.2023 with regard to the issue of Goat Sacrifice and Saami Aaduthal. The petitioner has relied on the Peace Committee Meeting which was conducted on 04.08.2016 and 25.07.2017. However, the impleaded respondent relied on the Peace Committee Meeting dated 08.09.2022. From this it is evident that for each and every year, certain issues were raised by the parties. Therefore this Court is directing the 4th respondent to consider the representation of the petitioner as well as the impleaded respondent in the light



W.P.(MD).No.18386 of 2023

of the Peace Committee Meetings dated 04.08.2016, 25.07.2016 and 08.09.2022 and shall take the facts and circumstances which is prevailing as on date and pass orders within a period of two (2) days from the date of receipt of a copy of this order. It is made clear that the respondents shall afford opportunity to all the parties without giving room for any allegations.

7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

01.08.2023

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

Note: Issue Order Copy on 01.08.2023.



W.P.(MD).No.18386 of 2023

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W.P.(MD).No.18386 of 2023

S.SRIMATHY, J.

Nsr

W.P.(MD).No.18386 of 2023

01.08.2023