



W.P.(MD).No.19286 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

**W.P.(MD).No.19286 of 2023
and
W.M.P.(MD).No.15976 of 2023**

K.Ramesh

... Petitioner

Vs.

1.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Ellis Nagar,
Madurai.

2.The Revenue Divisional Officer,
Thirumangalam,
Madurai District.

3.The Tahsildhar,
Thirumangalam,
Madurai District.

4.Mani Thevar

5.N.Archunan

6.K.Palani

7.Sandhanam

8.Alliraja



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9.Sivakumar

10.K.Joseph Sekar

11.Mayil Murugan

12.K.Sekar

13.Kalaivanan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to appoint a Special Officer for conducting supervising the festivals at A/M Ekanathar Temple, A/M Pattatharasi Amman Temple, A/M Urkala Ayyanar Temple, A/M Muthalamman Temple, A/M Kaliamman Temple, A/M Vadaku Vachelliamman Temple, A/M Ayyanar Temple, A/M Vinayagar Temple and Perumal Temple, A/M Madakarupasamy Temple in the respective months in order to avoid law and order problem on the basis of petitioner's representation dated 03.07.2023.

For Petitioner : Mr.R.G.Shankar Ganesh

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

For R-4 to R-6
and R-9 : Mr.P.Sethupathi

For R-7, 8, 10
to 13 : Mr.G.Dhivya Bharathy



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ORDER

This Writ Petition is filed for Mandamus, directing the first respondent to appoint a Special Officer for conducting / supervising the festivals at A/M Ekanathar Temple, A/M Pattatharasi Amman Temple, A/M Urkala Ayyanar Temple, A/M Muthalamman Temple, A/M Kaliamman Temple, A/M Vadaku Vachelliamman Temple, A/M Ayyanar Temple, A/M Vinayagar Temple and Perumal Temple, A/M Madakarupasamy Temple in the respective months in order to avoid law and order problem on the basis of petitioner's representation dated 03.07.2023.

2. There are atleast 10 Temples in Kinnimangalam Village. According to the petitioner, 10 Temples will conduct festival for each and every month. There was dispute among the parties regarding conferring first honour, hence a Peace Committee Meeting was convened on 02.06.2023. In the Peace Committee Meeting, three parties namely “A” party, “B” party and “C” party had been participated.



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3. When the Writ Petition was taken up for hearing, the Learned Special Government Pleader submitted that four persons were appointed for four temples and the details are stated below:

- i. Thiru.V.Santhanam to Arulmigu Oorkaalaswamy Thirukovil
- ii. Thiru.M.Sundarapandi to Arulmigu Ayyanar Thirukovil
- iii. Thiru.K.Sekar to Arulmigu Perumal Thirukovil
- iv. Thiru.M.Arulanantham to Arulmigu Aeganathar Thirukovil

As far as the other temples are concerned, the respondents are processing the applications.

4. The learned counsel appearing for the petitioner pointed out that all four persons were chosen from the 'C' party alone. However, the learned Special Government Pleader submitted that the persons in 'A' party belonged to same family and hence it is family disputes. Such contention cannot be accepted, since one Gunasekaran in 'B' party also belongs to the same family as that of the 'A' party.

5. The learned counsel appearing for the petitioner further pointed out that one Sekar was appointed, who was popularly known as Joseph Sekar. Even though he had declared himself as Hindu and following Hinduism in the



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application, his name indicates that he belongs to other religion. When it was brought to the knowledge of the respondents, the learned Special Government Pleader submitted that on enquiry it was found that the said Joseph Sekar belongs to Christianity and hence the appointment of the said Joseph Sekar would be cancelled.

6. Recording the said submission, the respondents are directed to cancel the appointment of the said Joseph Sekar as Trustee. As far as other appointments are concerned, since all the appointments are from 'C' party, there is no proper representation and without giving adequate representation to other claimants, there cannot be any amicable solution between the parties.

7. Therefore, this Court is cancelling all the appointments. The respondents shall call for application from all the interested parties including the writ petitioner, the persons shown in the Peace Committee Meeting and also to any other interested parties. Thereafter, the respondents shall appoint two persons for each Temple. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.



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8. In view of the above, this Writ Petition is allowed in above terms.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

04.09.2023

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

Note: Issue Order Copy on 05.09.2023.

To

- 1.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Ellis Nagar,
Madurai.
- 2.The Revenue Divisional Officer,
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Madurai District.
- 3.The Tahsildhar,
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S.SRIMATHY, J.

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