



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Twentieth day of March Two Thousand and Twenty Three

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PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN
and
The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.11874 of 2019
IN
WA(MD) No.358 of 2019

T.SERMARAJ ... Petitioner / Appellant

Vs

1 V.DURAIRAJ

2 THE ASSISTANT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT BOARD,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

3 THE FIT PERSON/THAKKAR,
ARULMIGU VENNILINGA UDAYAR SASTHA THIRUKOVIL,
VENTRILINGAPURAM,
PATTADAIKATTI,
SANKARANKOVIL TALUK,
TIRUNELVELI DISTRICT ,

THE EXECUTIVE OFFICER,
ARULMIGU MARIAMMAN THIRUKOVIL,
VASEDEVANALLUR,
SIVAGIRI TALUK,
TIRUNELVELI DISTRICT.

4 P.MAHARAJAN ... Respondents / Respondents

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to pass an order clarifying the interim order of status quo passed on 22.03.2019 and the order of extension of status quo passed on 27/03/2019 that all the Nadar Community People are entitled to conduct and celebrate the festivals and worship in Arulmigu Vennilinga Udayar Sastha Thirukovil, Ventrilingapuram, Sankarankoil Taluk, Tirunelveli District.



Prayer in WA(MD) No.359 of 2019:

Writ Appeal filed under Clause 15 of the Letters Patent against the order of this Court passed in WP(MD) No.60 of 2019 dated 14.02.2019.

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Prayer in WP(MD). 60/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records of the order passed by the 1st respondent in Se.Mu.Na.Ka.No.682/2018/E1 dated 05.04.2018 appointing 2nd respondent herein as Fit Person of Arulmigu Vennilinga Udayar Thirukovil and quash the same as illegal and further directing respondents herein to open the temple and handover the administration of the temple to the petitioner as the representative the petitioner as the representative of the family members who are administrating of the Arulmigu Vennilinga Udayar Thirukovil, Vennilingapuram, Pattadaikatti Village, Sankarankovil Taluk, Tirunelveli District.

Prayer in CMP(MD). 2980/ 2019 :

To pass an order of STAY of operation of the order dated 14.02.2019 passed in W.P.(MD)No.60 of 2019 pending disposal of the WA(MD)No.358 of 2019.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.J.BARATHAN, Advocate for the petitioner and of Mr.Ananth C.Rajesh, Advocate for the Respondent No.1 and of Mr.P.SUBBARAJ, Special Government Pleader, on behalf of the Respondent No.2 and of Mr.S.MANO HAR, Advocate for the Respondent No.3, the court made the following order:-

[Order of the Court was made by R.SUBRAMANIAN, J.]

Heard Mr.J.Barathan, learned counsel for the petitioner, Mr.Ananth C.Rajesh, learned counsel for the first respondent and Mr.P.Subbaraj, learned Special Government Pleader for the second respondent and Mr.S.Manohar, learned counsel for the third respondent.

2. Instead of an order of status-quo, the petitioner seeks clarification of the order of status-quo.

3. The order that was challenged in the writ petition is the order appointing a Fit Person that was set aside. The appellant has come up with an appeal with leave of the Court claiming that the order is obtained by collusion. In that appeal, the learned Special Government Pleader on 27.03.2019, has reported that the Fit Person is still in charge of the temple and is holding the post. Hence, instead of an order of status-quo, there will be an order of



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interim stay of operation of the order of the Writ Cou
further orders.

4. This Miscellaneous Petition is ordered accordingly.

sd/-
20/03/2023

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/03/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PM

To

THE ASSISTANT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT BOARD,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.

ORDER
IN
CMP (MD) No.11874 of 2019
IN
WA (MD) No.358 of 2019
Date :20/03/2023

ED/CG/SAR-2 (24/03/2023) 3P 2C