



WP(MD)No.28311 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.28311 of 2023

M.Gowtham Sankar

.. Petitioner

vs.

1.The District Collector,
Kanyakumari District,
Nagercoil.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Nagercoil,
Kanyakumari District.

3.The Executive Officer,
Vadiveeswaran North Village,
Kanyakumari District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus, directing the second respondent to take appropriate steps to restore the articles of Arulmighu Perumal Subramania Swami Poojai Madam so as to perform the poojas regularly by considering her request of the petitioner dated 09.06.2022.



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For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for a direction to the second respondent to take appropriate steps to restore the articles of Arulmighu Perumal Subramania Swami Poojai Madam, by considering the request of the petitioner, dated 09.06.2022.

2. The learned counsel appearing for the petitioner submits that the petitioner, who is now appointed as Hereditary Trustee of Arulmighu Perumal Subramania Swami Poojai Madam, has found that the properties of the Trust are in the control of some private individuals and in this regard, he made a representation before the Commissioner, Hindu Religious and Charitable Endowment Department, Chennai, to recover the properties. The representation submitted by the petitioner has also been forwarded by the Commissioner, Hindu Religious and Charitable Endowment Department, Chennai, to the Joint Commissioner, Hindu



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Religious and Charitable Endowment Department, Tirunelveli, for taking appropriate action. However, no action has been taken so far. Hence, the present Writ Petition has been filed.

3. When the matter is taken up for hearing, the learned Special Government Pleader takes notice for the respondents 1 to 3 and submits that based on the request of the petitioner, the second respondent instructed the concerned Inspector, Hindu Religious and Charitable Endowment Department, to identify the Temple property and its condition. The Inspector has submitted a report, based on which, further course of action has been initiated by the Revenue Divisional Officer, Nagercoil to change the patta.

4. Since it is reported by the learned Special Government Pleader appearing for the respondents that the second respondent has acted upon the request of the petitioner to recover the Temple property, this Writ Petition is disposed of, with a direction to the first respondent, namely, the District Collector, Kanyakumari District, to instruct the Revenue Divisional Officer, Nagercoil, to conclude the proceedings as expeditiously as possible by providing an opportunity of hearing to the petitioner as well as the persons in whose names the patta stand and take a



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decision within a period of six months from the date of receipt of a copy of this order. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
Internet : Yes
ssb

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B.PUGALENDHI, J.

ssb

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