



W.P.No.2217 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2024

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.2217 of 2024
and W.M.P.No.2402 of 2024

T.Mageswaran

...

Petitioner

/vs/

1. The Joint Commissioner,
HR & CE Department,
Vellore, Vellore District.

2. The Assistant Commissioner,
HR & CE Department,
Vellore, Vellore District.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of mandamus forbearing the respondents from taking over the control of the temple namely Sri Bethapali Gangaiyamman Temple, at Iyanur Village, Vinnamangalam Post, Ambur Taluk, Vellore District based on the petitioner's representation dated 03.07.2023 and the communication of the second respondent dated 07.11.2023 in Oo.Mu.No.4593/2023/AA2.



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For Petitioner ... Mr.S.Suresh

For Respondents ... Mr.N.R.R.Arun Natarajan
Special Government Pleader for RR1&2

ORDER

The petitioner who claims to be the Dharmakartta for Shri Bethapali Gangaiyamman Temple at Iyanur Village, Vinnamangalam Post, Ambur Taluk, Vellore District has filed this writ petition aggrieved due to the notice issued by the respondent authorities to take over the temple under the control of Hindu Religious and Charitable Endowments Board (hereinafter referred to as “H.R. & C.E.”).

2. According to the petitioner, the temple is in existence for the past several decades and the management of the temple is being run by Dharmakartta elected by the Village Panchayat.

3. Mr. N.R.R.Arun Natarajan, the learned Special Government Pleader, submitted that the temple itself is situated at the Government lands and the temple has been under the management of one Moorthy for several decades; after he became old, some youngsters have volunteered to assist



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the said Moorthy and the temple management was running seamlessly.

According to the learned Special Government Pleader after the petitioner came into picture, he created a lot of confusion and the villagers started to complain the allegations of mismanagement against the petitioner in respect of temple activities.

4. The communication dated 10.11.2023 has been given only for the purpose of peaceful management of the temple and for the benefit of the villagers who are the worshipers. If the petitioner claims any private right over the temple, it is up to him to make appropriate representation before the respondents authorities and participate in the proceedings. Whenever such mismanagement is reported to the H.R.& C.E. Department, it is bounden duty on them to take action and pass appropriate orders and to appoint trustees for the proper management of the temple. If in the appreciation of H.R.& C.E. Department, the petitioner is found to be a person fit enough to appoint one of the trustees and he can make due representation for the same as well.



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5. Since the petitioner has already given representation after receiving the communication dated 10.11.2023, he is at liberty to participate in the subsequent proceedings and co-operate with the enquiry.

6. With these observations, this Writ Petition is disposed. No costs.

Connected miscellaneous petition is closed.

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Index: Yes / No

Speaking order / Non-speaking order

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Vellore, Vellore District.
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R.N.MANJULA ,J.

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