



WEB COPY



W.P. No. 6836 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 15.03.2024**

**CORAM**

**THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU**

**W.P. No. 6836 of 2024  
and  
W.M.P. No. 7627 of 2024**

J.Vimal

... Petitioner

-VS-

1. The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Nungambakkam,  
Chennai.
2. The Joint Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Coimbatore.
3. The Executive Officer,  
Arulmighu Mariyamman Thirukoil,  
Puliyakulam,  
Coimbatore - 641 045.
4. The Fit Person,  
Arulmighu Mariyamman Thirukoil,  
Puliyakulam,  
Coimbatore - 641 045.

... Respondents

**Prayer:-** Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, forbearing the Third and Fourth Respondents herein from in any manner preventing the Petitioner's right of erecting Pookambham and Thee Khambam on behalf of Madan Kudumbathar



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during the annual festival of Arulmighu Mariyamman Thirukoil, Puliyakularm, Coimbatore scheduled to be held from 26.03.2024.

For Petitioner : Mr. S.V.Karthikeyan

For Respondents : Mr. K.Karthikeyan,  
Government Advocate (for R1 & R2)

Mr. D.Balamurugan (for R3 & R4)

### **ORDER**

Heard Mr. S.V.Karthikeyan, Learned Counsel for the Petitioner, Mr. K.Karthikeyan, Learned Government Advocate appearing for the First and Second Respondents and Mr. D.Balamurugan, Learned Counsel for the Third and Fourth Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed to restrain the Third and Fourth Respondents from preventing the right of the Petitioner to erect Pookambham and Thee Khambam on behalf of Madan Kudumbathar during the annual festival of Arulmighu Mariyamman Thirukoil, Puliyakularm, Coimbatore scheduled to be held from 26.03.2024 in any manner.



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3. It has been brought to notice that O.A. No. 3 of 2020 has been filed by the Petitioner before the Second Respondent for declaration that Madan Kudumbathar is entitled to erect Pookambham and Thee Khambam during the annual festival of Arulmighu Mariyamman Thirukoil, Puliyakularm, Coimbatore under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, and after the filing of the Writ Petition on 08.03.2024, he has made an application on 14.03.2024 for the relief sought in this Writ Petition, which has been taken on file as I.A. No. 3 of 2024 by the Second Respondent.

4. In such circumstances, it shall be incumbent upon the Second Respondent to immediately examine O.A. No. 3 of 2020 along with I.A. No. 3 of 2024 made by the Petitioner, afford full opportunity of hearing to the Petitioner, the Third and Fourth Respondents and all other persons concerned following the prescribed procedure in consonance with the principles of natural justice, deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to them under written acknowledgment. It is needless to add here that no view has been expressed by the Court on merits of the controversy involved and it would not



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preclude the Second Respondent from passing any order, final or interim, as may be deemed fit in the matter.

In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, the connected Miscellaneous Petition is closed. No costs.

15.03.2024

Index: Yes/No

NCC: Yes/No

**Note: Issue order copy by 02.04.2024.**

vjt

To

1. The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Nungambakkam,  
Chennai.
2. The Joint Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Coimbatore.
3. The Executive Officer,  
Arulmighu Mariyamman Thirukoil,  
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**P.D. AUDIKESAVALU, J.**

**vjt**

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