



WEB COPY



W.P.No.3874 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.3874 of 2013

and

W.M.P.No.35486 of 2016 and M.P.No.1 of 2013

K.Palani

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious & Charitable
Endowment Administration Department,
Uthamar Gandhi Road, Nungambakkam,
Chennai – 600 034.

2. The Joint Commissioner,
Hindu Religious & Charitable
Endowment Administration Department,
Salem – 1.

3. The Assistant Commissioner,
Hindu Religious & Charitable
Endowment, Salem – 6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus forbearing the respondents, their men agents or servants, subordinates or any other persons claiming on their behalf from interfering with the administration of management of temple viz., Arulmighu Sri Angala Parameswari Temple situate in Panngadu



W.P.No.3874 of 2015

Andipatti Village, Sowdapuram Post, Salem Taluk and District by the petitioner.

WEB COPY

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.S.Ravichandran, AGP
HR & CE

ORDER

This writ petition has been filed seeking to forbear the respondents, their men agents or servants, subordinates or any other persons claiming on their behalf from interfering with the administration of management of temple viz., Arulmighu Sri Angala Parameswari Temple situated in Panngadu Andipatti Village, Sowdapuram Post, Salem Taluk and District by the petitioner.

2. It is the case of the petitioner that the petitioner and his ancestors were managing and administering the aforesaid temple for several decades. Thereafter, the petitioner has constructed the said Temple and performed consecration. Since then, the petitioner has been discharging his duty as hereditary trustee of the temple by performing poojas and by managing the day to day affairs of the said temple. In the mean time, the respondent officials intended to threaten the petitioner, regarding his right over the



temple as hereditary trustee. Thereby, the petitioner made a detailed representation on 18.01.2013 before the respondents informing them that the petitioner is the hereditary trustee of the said temple. However, the same was not considered. Hence, the present writ petition has been filed.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 18.01.2013 and pass appropriate orders on merits and in accordance with law, within a particular time frame to be fixed by this Court.

4. The learned Additional Government Pleader appearing for the respondents has no objection for the said order being passed by this Court.

5. Heard the learned counsel on either side and perused the materials placed on record.

6. Taking into consideration the factual aspects of the matter, this



W.P.No.3874 of 2013

WEB COPY

Court without going into the merits of the case, directs the petitioner to respondents to send a copy of the representation dated 18.01.2013 to the respondents for ready reference along with the copy of this order within a period of two (2) weeks from the date of receipt of a copy of this order and upon receipt of the said representation, the respondents are directed to consider the same and pass appropriate order on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any, within a period of twelve (12) weeks thereafter.

7. With the above observation and direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

05.08.2024

RAP

Speaking Order/ Non Speaking Order : Yes / No

Index: Yes/ No

NCC: Yes/No



W.P.No.3874 of 2015

WEB COPY

To

1. The Commissioner,
Hindu Religious & Charitable
Endowment Administration Department,
Uthamar Gandhi Road, Nungambakkam,
Chennai – 600 034.
2. The Joint Commissioner,
Hindu Religious & Charitable
Endowment Administration Department,
Salem – 1.
3. The Assistant Commissioner,
Hindu Religious & Charitable
Endowment, Salem – 6.



WEB COPY



W.P.No.3874 of 2013

M.DHANDAPANI.,J

RAP

W.P.No.3874 of 2013

05.08.2024