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W.P.No.10290 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2024

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10290 of 2024

K.P.Ramakrishnan

...Petitioner

Vs.

1.The Secretary to Government
Hindu Religious and Charitable Endowments Departments
Fort St.George, Chennai.

2.The Commissioner
Hindu Religious and Charitable Endowments Departments
119, Uthamar Gandhi Salai
Nungambakkam, Chennai – 34.

3.The Joint Commissioner
Hindu Religious and Charitable Endowments Departments
Madurai.

4.The Joint Commissioner / Executive Officer,
Arulmigu Meenakshi Sundareswhar Temple,
Madurai.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus to direct the respondent No.4 to give an opportunity to participate in the “Amman Pushpha Pallaku Purapadu” function in the “Chithirai Thiruvila Thirukalyanam” Festival at “Madurai Arulmigu Meenakshi Sundareshwar Thirukoil” based on my representation dated 29.02.2024 in the light of the direction issued by the respondent No.3 in its letter communication dated 07.03.2024.



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For Petitioner : Mr.D.Veerasekaran

For respondents : Mr.K.Karthikeyan for R1 to R3.
Mr.V.R.Shanmuganathan for R4.

ORDER

This writ petition has been filed to direct the 4th respondent to give an opportunity to participate in the “Amman Pushpha Pallaku Purapadu” function in the “Chithirai Thiruvila Thirukalyanam” Festival at “Madurai Arulmigu Meenakshi Sundareshwar Thirukoil” based on the representation dated 29.02.2024.

2. The case of the petitioner is that his great grandfather late Chokkalingam Pillai and his legal heirs had executed a partition deed among themselves vide Doc.No.696 of 1904 dated 10.07.1904 before the District Registrar, Madurai and gifted the land in Bymass No.46 in S.No.36 (new S.No.8/4) at Sambanthar Alangulam Village, Madurai to an extent of 4acres in S.No.45 of the partition deed in favour of the “Madurai Arulmigu Meenakshi Sundareshwar Thirukoil” for conducting “Amman Pushpha Pallaku Purapadu” function during “Chithirai Thiruvila Thirukalyanam”. During 1982, the said gifted land to an extent of 3.72acres at Sambanthar Alangulam Village, Madurai North, Madurai



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District was acquired by the Adi Dravidar Welfare Department for the purpose of Madurai Harijan Housing Scheme vide Award No.2/2/80/A-7/81-82 dated 30.03.1982 and the compensation was disbursed to “Madurai Arulmigu Meenakshi Sundareshwar Thirukoil” and another.

3. Every year, during the month of April temple festival viz., “Chithirai Thiruvila Thirukalyanam” will be taken place and on the festival night “Amman Pushpha Pallaku Purapadu” function the donors of the land to the temple are allowed to participate. The petitioner being the great grandson of late Chokkalingam Pillai, grand son of late S.Krishnapillai and son of late K.Periyasamy Pillai and in the blood lineage having right to be honoured and to participate in the aforesaid festival. Hence, the petitioner made a representation to the respondents on 29.02.2024. In turn, the third respondent forwarded the representation of the petitioner to the 4th respondent for taking appropriate action and to intimate the same. Till date, the 4th respondent has not acted upon the representation of the petitioner, hence the petitioner filed the present writ petition.



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4. The learned counsel for the respondents would submit that the representation of the petitioner is under consideration, as the festival was already started and at this stage, it is not possible for them to consider the representation and to accommodate the petitioner. At this juncture, the officers are busy in the festival arrangements and they can consider the participation of the petitioner only for next year festival. It is also submitted that the petitioner can participate in the “Amman Pushpha Pallaku Purapadu” function as like any other devotees and no preference or priority will be given to the petitioner and his family members. The learned counsel would further submit that after the festival functions, the representation of the petitioner will be considered, after giving due opportunity to the petitioner and appropriate orders will be passed.

5. In view of the above circumstances, it is open for the petitioner to approach the 3rd respondent/Joint Commissioner by filing appropriate application under Section 63(E) of the HR&CE Act. If any application is filed by the petitioner, the same shall be considered and pass orders on merits and in accordance with law as expeditiously as possible.



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6. With the above observation, this writ petition is disposed of, liberty is also given to the petitioner to participate in the “Amman Pushpha Pallaku Purapadu” function as like any other devotees and no preference or priority will be given to the petitioner and his family members. No costs.

16.04.2024

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Internet : Yes

Index : Yes

Speaking order : Yes / No

To

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V.BHAVANI SUBBAROYAN, J.
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