



W.P.No.10980 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.10980 of 2024

P. Elumalai

...Petitioner

Vs

1. The Commissioner
Hindu Religious and Charitable
Endowments Department
No.119, Uthamar Gandhi Road,
Nungambakkam,
Chennai – 600 034.

2. The Joint Commissioner
Regional Office
Hindu Religious and Charitable
Endowments Department
Villupuram – 605 602.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to hand over the keys of the temple namely Sri Mariamman Koil, Nallan Pillai Petral, Gingee Taluk, Villupuram District to the petitioner by considering the petitioner's representation dated 06.03.2023 within a time frame and pass orders.



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For Petitioner : Mr.C. Munusamy
For Respondents : Mr.S. Ravi Chandran
Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. This Writ Petition has been filed seeking a direction to the respondent to consider the representation of the petitioner dated 06.03.2023.

3. The case of the petitioner is that the petitioner is a resident of Nallanpillaipetral Village, Gingee Taluk, Villupuram District and the petitioner's predecessors are performing poojas and other rituals in Sri Mariamman temple for many years and they are also administering and maintaining the said temple. Further more the petitioner have also formed a trust in the name of the said temple and the same was also duly registered on 09.08.2019 before the Sub Registrar, Sathyamangalam-Tindivanam vide Document Mo.7/2019. While so, all of sudden the Inspector of the Department of HR & CE snatched away the keys of the



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temple and handed over to one third party and no information was also provided to the petitioner for such action. Hence the petitioner gave a representation to the concerned authorities on 06.03.2023. However, the same was not considered. Hence this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider the petitioner's representation and pass orders.

5. The learned Government Advocate appearing for the respondent submitted a letter dated 22.04.2024 issued by the Inspector, HR& CE wherein it has been stated that the elders of the village have decided that the petitioner should not perform pooja and the key should be hand over to one third party. It has been further stated that the petitioner has formed the trust without getting approval from the management of the temple. Hence, due to the illegal act of the petitioner cannot be permitted to conduct poojas in the said temple.



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6. Considering the facts of the case, this Court without expressing any opinion on the merits of the case directs the respondents to consider the representation of the petitioner and pass orders after conducting an enquiry by affording reasonable opportunity of hearing to the petitioner as well as the concerned parties, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

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Index:Yes/No

Speaking order/Non-speaking order
smn



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V.BHAVANI SUBBAROYAN,J.

smn

To

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