



W.P.No.12039 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.04.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.12039 of 2024

and

W.M.P No.13141 of 2024

C. Meyyar

.. Petitioner

Versus

- 1.The Commissioner
Hindu Religious and Charitable Endowments
Chennai-600 34.
- 2.The Joint Commissioner Assistant Commissioner
Hindu Religious and Charitable Endowments
No.40, Muthusamy Nagar, Thiruppathur Road,
Sivagangai- 630 561.
3. The Executive Officer
A/m Koppudayanaki amman Temple,
Karaikudi town, Sivagangai District
4. PR.Ramasamy Ambalam,
S/o Perikaruppan Ambalam,
No.5. Mulaithinnai Street, Senjai, Karaikudi
Sivagangai District – 630 001.
5. S. Ramalingam Ambalam



W.P.No.12039 of 2024

WEB COPY

6. A. Meyyappan Ambalam

7. R. Govindan Ambalam

8. RM Sivanandam Ambalam

..Respondents

Prayer: This Writ petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the 3rd respondent from enforcing the rights under the order dated 27.10.2023 in proceedings Na.Ka.No.950/2022/E1 till disposal of the appeal in RP No.19 of 2024 before the first respondent and pass orders.

For Petitioner

: Mrs.A.L. Gandhimathi for
Mr.L.Palani Muthu

For Respondents 1 to 3

: Mr.N.R.R. Arun Natarajan
Special Government Pleader

For Respondents 4 to 8

: Mr.V. Srikanth

ORDER

This petition is filed to forbear the 3rd respondent from enforcing the rights under the order dated 27.10.2023 in proceedings Na.Ka.No.950/2022/E1 till disposal of the appeal in RP No.19 of 2024 before the first respondent and pass orders



W.P.No.12039 of 2024

WEB COPY

2. The case of the petitioner is that the petitioner belongs to Nattars of Karaikudi and the private respondents(R4 to R7) belongs to Nattars of the Senjai Village. The members of the Senjai Nattars filed O.A.No.62 of 1975 before the Deputy Commissioner, Sivagangai under Section 63(3) of Act 22/1959 in respect of certain honors and perquisites. The grievance of the petitioner is that the order dated 04.04.1977 in O.A.No.62 of 1975 does not specify the rights or honors of senjai Nattars. Challenging the same the private respondents (R4 to R7) herein had filed a writ petition before this Court in W.P.No.5337 of 2022 and the same was allowed vide order dated 25.03.2022. Challenging the same, the petitioner has preferred a writ appeal in W.A.No.380 of 2023 and the same was allowed on 05.04.2023. When this being the case the second respondent passed an order dated 27.10.2023 in proceedings Na.Ka.No.950/2022/E1 directing to grant honor by name “ Duppati Podugirathu” to senjay Nattars and has directed the Executive Officer of the temple to do honors to Senjay Nattars. As against the said order, the petitioner preferred an statutory appeal before the first respondent in R.P.No.19 of 2024 and the same was not disposed of till date. The sum



W.P.No.12039 of 2024

and substance of the case is that the petitioner reserves the right of honor given by the temple. Hence this petition.

3. The learned counsel for the petitioner submitted that the first respondent in R.P.No.19 of 2024 vide order dated 08.04.2024 passed an order, wherein a direction was issued that the concerned executive officer can receive the said honor. The learned counsel further submitted when the RP No.19 of 2024 came up for hearing on 08.04.2024, the matter was adjourned to the June month, whereas the festival is going to be held in the first second week of May . Hence, prays to allow this petition.

4.Per Contra the learned Special Government Pleader appearing for the HR&CE submitted that as per the HR & CE records there is no evidence to show that the petitioner's community has received the said honour for the past years.

5. I have given anxious consideration to either side submissions and perused the materials available on record.



W.P.No.12039 of 2024

WEB COPY

6. On a perusal of the order passed in R.P.No.19 of 2024 vide order dated 08.04.202 it is seen that a direction was issued to the concerned executive officer to receive the said honour. It has been further stated that there is no records to establish the case of the petitioner.

7. Considering the facts of the case, this Court is inclined to direct the first respondent to dispose of the R.P.No.19 of 2024 as expeditiously as possible, after affording reasonable opportunity of hearing to the petitioner as well as the aggrieved parties if any as expeditiously as possible.

8. With the aforesaid direction, this writ petition is disposed of. No order as to costs. Consequently the connected miscellaneous petition is closed.

29.04.2024

Speaking order : Yes/No
Neutral citation : Yes/No



W.P.No.12039 of 2024

Index : Yes/No
smn

To

1.The Commissioner

Hindu Religious and Chartiabale Endowments
Chennai-600 34.

2.The Joint Commissioner Assistant Commissioner

Hindu Religious and Chartiabale Endowments
No.40, Muthusamy Nagar, Thiruppathur Road,
Sivagangai- 630 561.

3. The Executive Officer

A/m Koppudayanaki amman Temple,
Karaikudi town, Sivagangai District



WEB COPY



W.P.No.12039 of 2024

V.BHAVANI SUBBAROYAN, J.

smn

W.P.No.12039 of 2024
and
W.M.P No.13141 of 2024



WEB COPY



W.P.No.12039 of 2024

29.04.2024