



W.P.No.12560 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22/10/2024

C O R A M

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

Writ Petition No.12560 of 2020
a n d
W.M.P.Nos.15484 and 15485 of 2020

S. Sarangapani ... Petitioner

Vs

1. The Commissioner
Department of Hindu Religious
Institutions and Wakf
III Floor, Collectorate Complex
Pettaiyanchathiram
Puducherry 605 009.
2. Indian Overseas Bank
rep. By its Branch Manager
T.R.Pattinam branch
T.R.Pattinam, Karaikkal
Puducherry 609 606.
3. R. Packirisamy
4. Sai Jaganathan
5. J. Rajendran
6. PNK.Thyagarajan
7. S. Kanagasabai



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8. P. Dhandapani

9. N. Sivagurunathan

...

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the first respondent to conduct an enquiry upon the representation dated 24/6/2020 of the petitioner pertaining to the affairs of Arulmigu Angala Parameswari Amman temple @ Sri Angala Amman temple located at Thirumalairayan Pattinam in terms of The Puducherry Hindu Religious Institutions Act, 1972 (Act No.10 of 1972) and consequently, direct suitable remedial measures to protect the temple and its assets and its proper management.

For petitioner

...

Mr.B. Mohan

For respondents

...

Ms.D.Jearany
Government Advocate (P)
for R.1

Mrs.Ananda Gomathy
for R.2

Mr.Arun Babu
for R.R.3 to 9

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ORDER

This writ petition has been filed to direct the first respondent to conduct an enquiry upon the representation dated 24/6/2020 of the petitioner pertaining to the affairs of Arulmigu Angala Parameswari Amman temple @ Sri Angala Amman temple located at Thirumalairayan Pattinam in terms of The Puducherry Hindu Religious Institutions Act, 1972 (Act No.10 of 1972) and consequently, direct suitable remedial measures to protect the temple and its assets.

2. The facts of the case in a nutshell are as follows:-

Arulmigu Angala Parameswari Amman temple, situated at T.R.Pattinam, via Karaikkal, Puducherry was installed and worshipped by late Mr.Nagappa Chettiar, who is the grandfather of the petitioner, in the year 1870. The first respondent authority is duty bound to act under the provisions of the Puducherry Hindu Religious Institutions Act, 1972. In spite of the representations, dated 14/9/2016 and 24/6/2020, first respondent has failed to enquire into the affairs of the temple. Hence, the



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petitioner has come forward with the instant writ petition.

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3. Heard Mr.B.Mohan, learned counsel for the petitioner, M/s.D.Jearany, learned Government Advocate (Pondicherry) for the first respondent, Mrs.Ananda Gomathy, learned counsel for the second respondent and Mr.Arun Babu, learned counsel appearing for the respondents 3 to 9.

4. The learned Government Advocate (Pondicherry) appearing for the first respondent submitted that temple is a private temple. Hence HR & CE has no role to play in the administration of the said temple. If the petitioner has any grievance, he has to approach the Civil Court to work out his remedy.

5. The learned counsel appearing for the respondents 3 to 9 submitted that the temple referred to in the writ petition is a private temple and public are not allowed to worship as a matter of right. The temple has no property or permanent source of income. The expenses for daily pujas and pujari salary are met by Marulaligal.



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6. Perused the materials available on record.

7. On a bare perusal of the materials available on record, it could be deduced that the first respondent has no control over the temple in question, as the same is not shown as one of 242 temples coming under his control in the website of Department of Hindu Religious Institutions and Wakf of Puducherry Government.

8. Considering the fact that the temple is not under the purview of the Department of Hindu Religious Institutions and Waqf, Puducherry, this writ petition is dismissed. If at all the petitioner has any grievance, he has to work out his remedy in the manner known to law, by filing a Civil Suit. No costs. Consequently, the connected Miscellaneous Petitions are closed.

29/10/2024

mvs.

Index : Yes / No

Neutral Citation: Yes/No



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M.DHANDAPANI,J

mvs.

To

1. The Commissioner
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