



W.P.No.15866 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2024

CORAM:

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

W.P.No.15866 of 2023

and

W.M.P.No.15340 of 2023

S. Arangasamy

.. Petitioner

Versus

1. The District Collector-cum-Special Officer for H.R.&C.E.,
Sri Darbaraneeswarar Swamy Devasthanam,
Thirunallar, Karaikkal District,
Puducherry UT.

2. The Commissioner,
Hindu Religious and Charitable Endowment Board,
Puducherry.

3. The Executive Officer,
Sri Darbaraneeswarar Swamy Devasthanam,
Thirunallar, Karaikkal District,
Puducherry UT

4. Devaki

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the first respondent to pass appropriate orders on the petitioner's representation dated



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13.05.2023 in respect of offering the customary practice of First Honour to the petitioner in the ensuing Sri Darbaraneeswarar Swamy Devasthanam, Thirunallar, Karaikkal District, Puducherry car Festival within stipulated date and pass orders

For Petitioner : Mr.N.S. Sivakumar

For Respondents-1 to 3 : Mrs. D. Jearney
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the respondents to consider the representation of the petitioner dated 13.05.2023.

2.The case of the petitioner is that the petitioner's ancestors have donated 70 acres of agricultural land to Sri Darbaraneeswarar Swamy Devasthanam, Thirunallar, Karaikkal District, Puducherry UT and the first honor on the eve of the Car festival is supposed to be given to the eldest son of the their family, which is the customary practice for the past 100 years. At present one person by name Illamurugan belonging to the



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petitioner's family is receiving the honour. The grievance of the petitioner is that at present there are thirteen elder brothers in the family, however, by using the political influence the said Illamurugan is receiving the honour and the said act was not objected by the petitioner and other persons due to the reason that Illamurugan is one of their brother. The said Illamurugan died during Corona period and there was no car festival conducted during 2020 and 2021. Hence the petitioner gave a representation to nominate him to receive the First Honor during the festival and the same was not considered till date. Hence, this petition.

3. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to to consider petitioner's representation dated 13.05.2023 and pass orders.

4. The learned Government Advocate appearing for the respondents produced a letter dated 12.06.2023, wherein it has been stated that the request made by the petitioner has become infructuous as the Car Festival 2023, was conducted on 30.05.2023.



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

6. Considering the facts of the case, this Court without going into the merits of the case directs the petitioner to give a fresh representation to the respondents and on receipt of the same, the respondents are directed to consider the representation of the petitioner as this issue will arise every year, hence, pass orders on merits and in accordance with law after affording an opportunity of hearing to the petitioner, 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 is disposed of. No order as to costs. Consequently, the connected miscellaneous petition is closed.

06.06.2024

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



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To

1. The District Collector,
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Puducherry UT

2. The Commissioner,
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V.BHAVANI SUBBAROYAN, J.

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