



W.P.No. 18113 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2024

CORAM:

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

W.P.No.18113 of 2024

K.P.Nallasamy

.. Petitioner

Versus

1. The Secretary to Government,
Department of Tourism, Culture and Religious Endowments,
Fort St. George, Secretariat,
Chennai - 600 009.

2. The Commissioner,
Hindu Religious & Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Chennai – 600 034.

3. The Joint commissioner,
Hindu Religious & Charitable Endowments Department,,
Tiruppur Regulated Market Complex,
Tiruppur – Palladm Road, Town Extension,
Tiruppur – 641 604.

4. The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,,
Tiruppur Regulated Market Complex,
Tiruppur – Palladm Road, Town Extension,
Tiruppur – 641 604.



W.P.No. 18113 of 2024

5. The Executive Officer,
Arulmigu Vangiamman Thirukovil,
Moolanor, Dharapuram Taluk,
Tiruppur District – 638 106.

...Respondents

Prayer: This petition is filed under article 226 of the Constitution of India to issue a writ of Mandamus directing the Respondents 2 to 5 to consider the representation made by the petitioner dated 17.05.2024 by cancelling prior approval/permission/work order granted to the private persons towards the construction of the Arulmigu Periyamayaki Amman Temple situated at Nanjai Thalaiyur Village, Dharapuram Taluk, Tiruppur District and consequently permit our Thalaiyur Kaali Periyamayaki Amman Devotees Development & Charitable Trust to carry out the reconstruction work of the temple, also for proper maintenance of the temple, to appoint our trustees as Hereditary Trustees of the temple within a stipulated time frame and pass orders.

For Petitioner : Mr.B. Thirunavukkarasu

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

ORDER

This petition is filed to seeking to issue a writ of Mandamus directing the Respondents 2 to 5 to consider the representation made by the petitioner dated 17.05.2024 by cancelling prior approval/permission/work order granted to the private persons towards



W.P.No. 18113 of 2024

the construction of the Arulmigu Periyannayagi Amman Temple situated at Nanjai Thalaiyur Village, Dharapuram Taluk, Tiruppur District and consequently permit our Thalaiyur Kaali Periyannayagi Amman Devotees Development & Charitable Trust to carry out the reconstruction work of the temple, also for proper maintenance of the temple, to appoint our trustees as Hereditary Trustees of the temple.

2. The petitioner is the president and one of the devotee of Thalaiyur Kaali Periyannayagi Amman Temple. The said temple is 600 years old ancient temple and located in the banks of River Amaravathi. The said temple was a Kuladeivam for Vettuva Gounder Community people. The second respondent has issued work order to the private persons for construction work in the temple and there is no progress in the work and the private persons are very irresponsible in completing the work and not adopting safety measures. It is pertinent to note that the 5th respondent herein had also instructed and issued a letter dated 03.11.2023 to complete the work immediately before the monsoon rainfall. Despite the same there was no progress and the construction



W.P.No. 18113 of 2024

work not yet started. Hence, the petitioner made a representation on 17.05.2024 to the respondents herein to cancel all approval/permission/work order and to issue permission to the Thalaiyur Kaali Periyannayagi Amman Devotees Development and Charitable Trust to carry out the construction work of the temple. However, there was no response 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 the respondents 2 to 5 to consider the petitioner's representation dated 17.05.2024 and pass orders.

4. The learned Special Government Pleader appearing for the respondents produced a letter dated 06.07.2024, wherein it was stated that the Joint Commissioner vide order dated 24.03.2023 in Na.Ka.No.572-889/2023/A2 had invited the applications for the post of non-hereditary trustees and the selected application was forwarded to the concerned authorities and one M.Annadurai was appointed as non hereditary trustee. The learned Government Pleader further submitted the renovation work was started on 18.06.2024 by the authorised persons



W.P.No. 18113 of 2024

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and the work will be completed within a period of one year.

5. In view of the above, it is made clear that even though the representation given by the petitioner was considered by the concerned respondents to certain extent, the submission made by the Special Government Pleader that the work will be completed within a period of one year, might prolong the work due to the monsoon rainfall. Hence, this Court directs the respondents to complete the renovation work as expeditiously as possible.

6. With the above said observations, this writ petition is disposed of. No order as to costs.

08.07.2024

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



W.P.No. 18113 of 2024

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W.P.No. 18113 of 2024

V.BHAVANI SUBBAROYAN, J.

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W.P.No.18113 of 2024

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