



W.P.No.25333 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE **M. DHANDAPANI**

W.P.No.25333 of 2024

B.Thandavamoorthi

... Petitioner

Vs.

1.The District Collector,
Thiruvannamalai – 606 803.

2.The Tahsildar,
Polur, Thiruvannamalai – 606 803.

3.B.Subramani

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 & 2 to conduct proper enquiry amongst villagers and appoint a committee to manage the affairs of the Arulmigu Shree Periyaandavar Kovil situated in Survey No.272/2B, 90/1C, 0.68 at R.Kunnathur, Polur, Thiruvannamalai.

For Petitioner : Mr.R.Swarnavel

For Respondent : Mr.U.Baranidharan
Additional Government Pleader [R1 & R2]

ORDER



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This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents 1 and 2 to conduct proper enquiry amongst villagers and appoint a committee to manage the affairs of the Arulmigu Shree Periyaandavar Kovil situated in Survey No.272/2B, 90/1C, 0.68 at R.Kunnathur, Polur, Thiruvannamalai.

2. Since no adverse order is passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

3. Mr.U.Baranidharan, learned Additional Government Pleader, accepts notice on behalf of the respondents 1 and 2. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that, he is the Secretary of the Trust, which administers affairs of the Arulmigu Shree Periyandavar Temple, which is set to be in existence for over 400 years. However, the 3rd respondent is interfering with the day-to-day affairs of the said temple, thereby, he made a complaint before the respondents 1 and 2. Since no



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order has been passed, the petitioner filed the above writ petition before this court for appropriate orders.

5. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the respondents 1 and 2 to conduct proper enquiry amongst villagers and appoint a Committee to manage the affairs of the Arulmigu Shree Periyandavar Kovil, within a time frame that may be fixed by this Court.

6. Learned Additional Government Pleader appearing for the respondents 1 and 2 submitted that, there was a dispute regarding the administration of the said temple between two groups, in which, peace committed meeting was conducted by the 2nd respondent, however, no amicable settlement was arrived between the petitioner and the 3rd respondent. Further, he submitted that the dispute between the petitioner and the 3rd respondent is civil in nature, which has to be ventilated only before the civil court. However, without doing so, the petitioner has filed a complaint before the respondents 1 and 2, which is wholly



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unsustainable. Accordingly, he prays for dismissal of the writ petition.

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7. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 and 2 and perused the materials available on record.

8. It appears that there was a dispute with regard to administration of the said temple in between the petitioner and the 3rd respondent, in which, though the 2nd respondent has conducted peace committee meeting, however, no settlement has been arrived in between them. Further, it is seen that the dispute between the petitioner and the 3rd respondent is civil in nature, which has to be ventilated only before the civil court and not before this court under Article 226 of Constitution of India. Further, the respondents 1 and 2 have no power to interfere with the personal dispute in between the petitioner and the 3rd respondent. Hence, the prayer sought for by the petitioner cannot be granted and the writ petition is liable to be dismissed.

9. Accordingly, the writ petition is dismissed. However, liberty is



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granted to the petitioner to workout the remedy before the civil court in the manner known to law. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp

To

- 1.The District Collector,
Thiruvannamalai – 606 803.
- 2.The Tahsildar,
Polur, Thiruvannamalai – 606 803.



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M.DHANDAPANI, J.

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