



W.P.No.27441 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2024

CORAM :

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

W.P.No.27441 of 2024

Vijayakumar,
S/o.Arunachalam,
Secretary of Devanga Chettiyar Community Association,
17/4, Pilliayar Koil Street, Omalur,
Salem District – 636 455. ... Petitioner

Vs.

1.The Commissioner,
HR & CE Department,
Uthamar Gandhi Road,
Nungambakkam, Chennai – 600 034.

2.The Joint Commissioner,
HR & CE Department,
Salem – 636 001.

3.The Assistant Commissioner,
HR & CE Department,
Salem – 636 001. ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 16.08.2024 to approve the list of newly nominated non-hereditary trustees for the effective



W.P.No.27441 of 2024

management of the Arulmigu Ramalinga Sowdewari Amman Temple, Kottamettupatti Village, Omalur Town and Taluk, Salem District within the time frame fixed by this court.

For Petitioner : M/s.S.Vasavi Sridevi

For Respondents : Mr.K.Karthikeyan
Government Advocate

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Mandamus, to direct the 3rd respondent to consider the petitioner's representation dated 16.08.2024 to approve the list of newly nominated non-hereditary trustees for the effective management of the Arulmigu Ramalinga Sowdewari Amman Temple, Kottamettupatti Village, Omalur Town and Taluk, Salem District within the time frame fixed by this court.

2. Mr.K.Karthikeyan, learned Government Advocate, accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel for the parties, this writ petition is taken up for final disposal at the stage of admission itself.



W.P.No.27441 of 2024

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3. The case of the petitioner is that, Sri Ramalinga Sowdeswari Amman Temple has been a revered Devanga Chettiya Community Temple for more than 100 years and it is a scheme temple. As per the scheme approved, the said temple shall be administered by a board of non-hereditary trustees not less than three and not more than five in number and such non-hereditary trustees shall be appointed from among the persons selected in the meeting specially held for the purpose by the Devanga Chettiya community people of Kottamettupatti Village, Omalur Town and Taluk, Salem District. However, currently, the positions of non-hereditary trustees are vacant and the temple is under the temporary control of the executive officer of the said temple after the order dated 13.12.2023. Since there is no dedicated person to take care of the day-to-day affairs of the temple, the devotees are suffering. The petitioner association sent the list of the newly elected non-hereditary trustees and the 3rd respondent returned the same by citing that the applications were received after the delay of one year from the date of notice inviting applications for non-hereditary trustees dated 02.08.2024. Hence, the petitioner association sent a representation dated 16.08.2024 to the respondents and despite the receipt of the representation, the respondents



W.P.No.27441 of 2024

failed to consider the representation and to approve the list of newly nominated non-hereditary trustees for the effective management of the petitioner's community temple. Hence, the petitioner has filed this writ petition before this court for appropriate orders.

4. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this Court, issues a direction to the 3rd respondent to consider the petitioner's representation dated 16.08.2024 and pass appropriate orders, within a time frame that may be stipulated by this court.

5. Considering the limited request made by the learned counsel for the petitioner, this court, without going into the merits of the case, directs the 3rd respondent to consider the petitioner association's representation dated 16.08.2024 on merits and in accordance with law and pass appropriate orders, within a period of twelve (12) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.



W.P.No.27441 of 2024

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costs.

6. With the above direction, this writ petition is disposed of. No

23.09.2024

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

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To

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Salem – 636 001.

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W.P.No.27441 of 2024

M.DHANDAPANI, J.

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W.P.No.27441 of 2024

23.09.2024