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W.P.No.35680 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2024

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.35680 of 2024 and
W.M.P.No.38535 of 2024

P.Neelavathi

...Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. By its Principal Secretary
Department of Tourism, Culture and Religious Endowments,
Fort. St. George,
Chennai-600 009.
2. The Commissioner,
Hindu Religious and Charitable Endowment Department
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai-600 034.
3. The District Collector,
Namakkal District,
Namakkal.
4. The Revenue Divisional Officer
Namakkal Revenue Division,
Mohanur Road,
Namakkal-637 001.
5. The Tahsildar
Namakkal Taluk,



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Mohanur Road,
Namakkal-637 001.

6. The Joint Commissioner

Hindu Religious and Charitable Endowment Department
D.F.No.20F, Chinnamuthu Veethi, 1st street,
Perundurai Road,
Erode-638 001.

7. The Assistant Commissioner

Hindu Religious and Charitable Endowment Department
Government Offices Additional Buildings,
Collectorate,
Room No.215, first Floor,
Namakkal-637 003.

8. The Inspector

H.R.& C.E. Department
Ranganathar Theermuti
Namakkal-683 001.

9. V.Ramasamy

10.V.Varutharaju

11.P.Gopal

12.S.Manikam

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned orders passed by the 4th respondent dated 03.07.2024 and the consequential notice issued by the 8th respondent dated 09.09.2024 in Notice no.1 and to quash the same, consequently, directing the respondents to permit the Petitioner to worship temples peacefully and pass.



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For Petitioner : Mr.N.Umapathi
For respondents 1, 2, 6 to 8 : Mr.K.Karthikeyan
Government Advocate (HR & CE)
Mr.V.Ramesh for R3 to R5
Government Advocate

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The writ petition is filed challenging the decision taken in the peace committee meeting convened by the 5th respondent and the consequential notice issued by the 8th respondent dated 09.09.2024 calling for objection from the general public with regard to the proposal to bring the administration of Arulmigu Angalamman Thirukoil, Kadanthappatti Village, Pachal Post, Namakkal District under the control of the HR & CE Department.

3. It is seen from the averments found in the affidavit filed in support of this writ petition and the documents in the typed set of papers, there is some dispute with regard to the administration of the above mentioned temple between various groups. Therefore, a peace committee meeting was convened by the 5th respondent on 03.07.2024 and a decision was taken to recommend to



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the HR & CE Department to take over the temple. Pursuant to the minutes of the peace committee meeting, the 8th respondent herein issued public notice on 09.09.2024 inviting objection from the general public. Aggrieved by the same, the petitioner has come before this Court.

4. The learned counsel for the petitioner submits that he is a worshiper of the temple. The impugned notice issued by the 8th respondent exert unnecessary pressure on the present administrator of the temple namely 12th respondent. Therefore, it is clear that petitioner is not a person interested in the administration of the temple. He is only a devotee. It is open to the petitioner to raise his objection regarding proposal to take over the temple by the HR & CE Department.

5. The learned counsel for the petitioner brings it to the notice of this Court that he already submitted an objection before the 8th respondent on 12.09.2024.

6. Mr..K.Karthikeyan, learned Government Advocate (HR & CE), who takes notice for the respondents 1, 2 and 6 to 8, submits that 7th respondent herein already forwarded his recommendation to the 2nd respondent and the same is under consideration of the 2nd respondent.



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7. In view of the above said position, the respondents 7 and 8 are directed to forward the objection submitted by the petitioner to the 2nd respondent, who shall consider the same and take a final decision in accordance with law.

8. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

05.12.2024

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

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To

1. The Principal Secretary

Department of Tourism, Culture and Religious Endowments,
Fort. St. George,
Chennai-600 009.

2. The Commissioner,

Hindu Religious and Charitable Endowment Department
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai-600 034.

3. The District Collector,

Namakkal District,
Namakkal.

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4. The Revenue Divisional Officer
Namakkal Revenue Division,
Mohanur Road,
Namakkal-637 001.
5. The Tahsildar
Namakkal Taluk,
Mohanur Road,
Namakkal-637 001.
6. The Joint Commissioner
Hindu Religious and Charitable Endowment Department
D.F.No.20F, Chinnamuthu Veethi, 1st street,
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