



W.P.(MD)No.2662 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.2662 of 2024

and

W.M.P.(MD)Nos.2670 to 2672 of 2024 and 3371 of 2024

Periyasilaimalai

... Petitioner

versus

1. The Commissioner,
Office of the Commissioner,
Hindu Religious and Charitable
Endowments Department,
No.119, Uthamar Gandhi Salai,
Chennai – 600 034.

2. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Palanichettypatty,
Theni.

3. The Inspector,
Hindu Religious and Charitable
Endowments Department,
Usilampatty,
Madurai.

... Respondents



W.P.(MD)No.2662 of 2024

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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned notice dated 19.01.2024 issued by the 3rd respondent and quash the same as illegal and without jurisdiction and consequently, direct the respondents 1 to 3 not to interfere with the affairs of the “Arulmigu Pillayar Temple” situated in Survey No.54 of Uthappnaickanur, Usilampatty Taluk, Madurai District managed by the Village Temple Committee.

For Petitioner : Mr.A.Mithun Chakravarthi
For Respondents : Mr.P.Subba Raj,
Special Government Pleader

ORDER

The petitioner claiming to be the Poojari of Arulmighu Pillayar Temple of Uthappnaickanur, Usilampatti Taluk, has filed this writ petition as against the notice dated 19.01.2024 and also for a direction to the respondents 1 to 3 not to interfere with the affairs of the “Arulmigu Pillayar Temple”.



W.P.(MD)No.2662 of 2024

2. The learned counsel appearing for the petitioner submits that the impugned notice is pertaining to Arulmighu Vinayagar Temple.

The petitioner is the Poojari of Arulmighu Pillayar Temple of Uthappnaickanur, Usilampatti Taluk. According to him, there are two Temples, namely, Arulmigu Pillayar Temple and Arulmigu Vinayagar Temple and by referring the impugned notice, the respondents are not allowing the petitioner to perform the poojas at Arulmighu Pillayar Temple.

3. The learned Special Government Pleader appearing for the respondents submits that there is only one Vinayagar Temple, which is under the control of HR&CE Department and it has ITMS No.33375. The impugned notice was issued to the Temple Poojaries of Arulmighu Vinayagar Temple, namely, Muthupandi, S/o.Periyapandi and Veerapandi, S/o.Muthupandi. He further submits that the petitioner along with the said Muthupandi and Veerapandi are attempting to perform consecration without obtaining any permission from the



W.P.(MD)No.2662 of 2024

HR&CE Department.

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4. The petitioner claims that he is the poojari of Arulmighu Pillayar Temple of Uthappnaickanur, Usilampatti Taluk. He also claims that there are two temples, namely, Arulmighu Pillayar Temple and Arulmighu Vinayagar Temple. The impugned notice is pertaining to Arulmighu Vinayagar Temple and it is under the control of HR&CE Department. According to the petitioner, the Arulmighu Pillayar Temple is not under the control of HR&CE Department. In this regard, he has also placed a certificate of VAO and try to make out a case that there are two Temples, namely, Arulmighu Vinayagar Temple and Arulmighu Pillayar Temple. A perusal of the VAO certificate reveals that Survey No.131/4 is a Teppam for the Vinayagar Temple and Survey No.614/54 is a Pillayar Temple.

5. The petitioner has filed this writ petition challenging the impugned notice dated 19.01.2024 and also for a direction to the



W.P.(MD)No.2662 of 2024

respondents 1 to 3 not to interfere with the affairs of the Arulmighu Pillayar Temple. The impugned notice in this writ petition is pertaining to the Arulmighu Vinayagar Temple and it is under the control of the HR&CE Department. According to the respondents, the Poojaris of the Arulmighu Vinayagar Temple are attempting to perform consecration for this temple without obtaining any permission from the HR&CE Department and therefore, the impugned notice has been issued to them. This Court does not find any reason to interfere with the impugned notice and accordingly, this writ petition is liable to be dismissed.

6. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

14.02.2024

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NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.

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W.P.(MD)No.2662 of 2024

B.PUGALENDHI, J.

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