



W.P(MD)No.2761 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.2761 of 2024

Arumuga Velar

... Petitioner

Vs

1.The Joint Commissioner,
Hindu Religious Charitable and Endowments Department,
No.35/1, Mela Ratha Veedhi,
Thoothukudi - 2.

2.The Assistant Commissioner,
Hindu Religious Charitable and Endowments Department,
Alagesapuram Main Road,
Thoothukudi.

3.The Inspector,
Hindu Religious Charitable and Endowments Department,
Chokkalinga Swamy Temple,
Eral,
Eral Taluk,
Thoothukudi.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 herein to hand over the 29 keys of



W.P(MD)No.2761 of 2024

Pachaiperumal Ayyanar Temple, situated at Ariyappapuram, Kottarakurichi Village, Eral Taluk, Thoothukudi District within the time stipulated by this Honble Court on the basis of the petitioners representation dated 12.12.2023.

For Petitioner : Mr.S.Vikram
For Respondents : Mr.P.Subba Raj
Special Government Pleader

ORDER

The petitioner is one of hereditary trustees of Arulmighu Pachaiperumal Ayyanar Temple, Ariyappapuram, Kottarakuruchi Village, Eral Taluk, Thoothukudi District. On certain allegations, the key of the temple was taken away by the Executive Officer from the petitioner that the petitioner has performed "Yaga" in front of the temple against Agamas and also sacrificed goat and other animals. The petitioner has denied the allegation and submits that this decision has been taken without providing an opportunity of hearing to him. Therefore, the petitioner prays this Court that a suitable direction may be issued to the respondents to return the temple keys to the petitioner.



W.P(MD)No.2761 of 2024

WEB COPY

2.Mr.P.Subba Raj, learned Special Government Pleader takes notice for the respondents and submits that the petitioner has performed 'Yaga' on 28.10.2023, in which, he has sacrificed the animals, which is against the Agamas of the temple. Therefore, the Executive officer has submitted a report to the Joint Commissioner for necessary action. However, the Joint Commissioner is yet to pass orders.

3.This Court considered the rival submissions made and also perused the materials placed on record.

4.The petitioner is aged about 82 years and one of the hereditary trustees of Arulmighu Pachaiperumal Ayyanar Temple,Kottarakuruchi Village, Eral Taluk, Thoothukudi District. On certain allegations, the temple keys have been taken away from the petitioner. The petitioner has denied those allegations. It appears that the Executive Officer has submitted a report as against this



W.P(MD)No.2761 of 2024

petitioner that he has performed "Yaga" in front of the temple on 28.10.2023 against Agamas. The Joint Commissioner is yet to take a decision on the report of the Executive Officer. In the meantime, the Executive Officer has collected the temple keys from the petitioner, without providing an opportunity of hearing to the petitioner.

5. Therefore, this writ petition is disposed of with a direction to the respondents to return back the temple keys to the petitioner. The petitioner shall also ensure that he shall administer the temple in a proper manner by following the Agamas of the temple. The Joint Commissioner shall proceed with the report of the Executive Officer and pass order as expeditiously as possible and before taking any decision, the petitioner has to be provided with an opportunity of hearing. No costs.

09.02.2024

NCC: Yes/No
Index: Yes/No
Internet: Yes
vrn



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B.PUGALENDHI, J.

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