



W.P(MD)No.7404 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.7404 of 2024

1. Manivannan.C.T
2. S.Vijayapriya

... Petitioners

Vs

- 1.The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowments Board,
Sivagangai.
- 2.The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowments Board,
Sivagangai.
- 3.The District Committee,
Through its Chairman,
Tamil Nadu Hindu Religious and Charitable Endowments Board,
Sivagangai.
- 4.The Executive Officer,
Arulmigu Koppudayanayagi Amman Thirukoil,
Karaikudi.
- 5.S.Nachiappan
6. Nachiappan
7. Suresh

... Respondents



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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 4 to conduct the festival of Arulmigu Paranachiamman Temple, P.Karungulam Village, Thirupathur Taluk, Sivagangai District which is scheduled to be held on 09.04.2024.

For Petitioner	: Mr.R.Suriya Narayanan
For R1 to R3	: Mr.P.Subba Raj Special Government Pleader
For R4	: Mr.R.Shankar Ganesh
For R5 to R7	: Mr.R.Shanmuganathan

ORDER

This writ petition is filed for a Mandamus, directing the respondents 1 to 4 to conduct the festival of Arulmigu Paranachiamman Temple, P.Karungulam Village, Thirupathur Taluk, Sivagangai District, which is scheduled to be held on 09.04.2024.

2.The petitioners have been appointed as trustees of Arulmigu Paranachiamman Temple, P.Karungulam Village, Tirupathur Taluk, Sivagangai District and their appointment is challenged in WP(MD) No.23655 of 2023. This Court, while



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entertaining the writ petition in WP(MD) No.23655 of 2023 has granted an interim order and therefore, the petitioners are not functioning as trustees of the above temple as on date. However, they have filed this writ petition as devotees of the temple that this temple festival is scheduled to be held of 09.04.2024 and the same has been stalled by referring the above writ petition, which is pending before this Court.

3.The learned counsel appearing for the respondents 5 to 7 submits that the temple is under the administration of the villagers and the petitioners have been appointed as non-hereditary trustees without following any procedures and without issuing any notice to the respondents 5 to 7. He further submits that the respondents 5 to 7 have filed an application in O.A.No.34 of 2023 for framing a scheme for the administration of the Temple and the same is pending.

4.The learned counsel appearing for the fourth



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respondent submits that the fourth respondent has been appointed as fit person for the administration of the temple and at present the fit person is administering the temple.

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

6.Admittedly, the petitioners' appointment as trustees is challenged in WP(MD) No.23655 of 2023 and an order of interim stay has been granted by this Court on 27.09.2023 and that writ petition was reserved for orders. However, the petitioners in the capacity of devotees of the temple have filed this writ petition for a Mandamus, to direct the official respondents to conduct the festival on 09.04.2024. Application filed by the respondent 5 to 7 for framing of a scheme for the administration of the temple in O.A.No. 34 of 2023 is pending. The executive officer of the temple is very much available. The prayer sought for in this writ petition is for conducting the temple festival on 09.04.2024.



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7.In view of the above, this writ petition is allowed and a permission is granted to conduct the temple festival on 09.04.2024 as scheduled in a peaceful manner and the fourth respondent shall ensure that due representations and recognition are given to all the villagers. This order would not confer any right on the petitioners as if the petitioners are entitled for trusteeship, since the issue is still pending in WP(MD) No.23655 of 2023. No costs.

28.03.2024

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



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B.PUGALENDHI, J.

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Order made in
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