



W.P.(MD) No.8419 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.8419 of 2024

K.Gnanavel

... Petitioner

/vs./

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul District.
- 2.The Tahsildar,
Peraiyur Taluk,
Madurai District.
- 3.The Superintendent of Police,
Madurai District.
- 4.The Inspector of Police,
F1, Peraiyur Police Station,
Madurai District.
- 5.A.Palanichamy
- 6.M.Muthu Karuppaiah

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent herein to grant permission to conduct Renovation work and to conduct Kumbabhishekam schedule to be held on 16.06.2024 and 17.06.2024 at Sri Kannapuram Kalamman Temple, Kumarapuram Village, Peraiyur Taluk, Madurai District on the basis of the petitioner representation dated 27.02.2024 and 21.03.2024.

For Petitioner : Mr.I.Sriranganathan

For R1 & R2 : Mr.P.Subbaraj
Special Government Pleader

For R3 & R4 : Mr.S.Manikandan
Government Advocate

For R5 & R6 : Mr.J.Barathan

ORDER

The petitioner has filed these writ petitions for a Mandamus to direct the first respondent to grant the permission to conduct the renovation work and to conduct Kumbabhishekam on 16.06.2024 and 17.06.2024 at Sri Kannapuram Kalamman Temple at Kumarapuram Village, Peraiyur Taluk, Madurai District on the basis of the petitioner's representations dated 27.02.2024 and 21.03.2024.



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2.Heard Mr.I.Sriranganathan, learned counsel for the petitioner, Mr.P.Subbaraj, learned Special Government Pleader for the respondents 1 and 2, Mr.S.Manikandan, learned Government Advocate for the respondents 3 and 4 and Mr.J.Barathan, learned counsel for the respondents 5 and 6.

3.It is informed by all the learned counsels that O.A.No.54 of 2022 filed under Section 63(a) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, is pending before the first respondent. The learned counsel for the petitioner would submit that the evidence of the respondents 5 and 6, who are the petitioners in O.A.No.54 of 2022, is complete and now, it is the petitioner's turn to depose the evidence.

4.The learned Special Government Pleader for the respondents 1 and 2 would submit that there is no question of Kumbabishegam being conducted as renovation work is not over. That apart, it is further submitted that O.A.No.54 of 2022 is pending at the behest of the respondents 5 and 6 before the first respondent herein and therefore, on this count also, without determination, the Kumbabishegam cannot be conducted.



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5.The learned counsel for the respondents 5 and 6 would submit that the Court may direct the first respondent to dispose of O.A.No.54 of 2022 as was ordered by this Court earlier in W.P.(MD) No.8134 of 2023 filed by the respondents 5 and 6 vide order dated 12.04.2023.

6.Having considered the submissions of the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 and 2, learned Government Advocate for the respondents 3 and 4 and the learned counsel for the respondents 5 and 6, this Court is of the view that the prayer sought for by the petitioner at this stage cannot be entertained. At the same time, there can be a positive direction to the second respondent to complete the proceedings in O.A.No.54 of 2022 as expeditiously as possible, preferably within a period of four months from the date of receipt of a copy of this order. Liberty is given to the petitioner to file fresh representation for Kumbabishegam after the order is passed in O.A.No.54 of 2022.



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7.The Writ Petition stands disposed of with such liberty. No costs.

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Internet : Yes / No

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To

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C.SARAVANAN, J.

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