



W.P.(MD) No.10792 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.10792 of 2022

and

W.M.P.(MD) Nos.7774 & 21677 of 2022

Vairamuthu Chettiar

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious Charitable and
Endowment Department,
119, Uthamar Gandhi Road,
Nungambakkam,
Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious Charitable and
Endowment Department,
Thiruppur.

3.The Assistant Commissioner,
Hindu Religious Charitable and
Endowment Department,
Karur.

4.The Executive Officer,
Arulmighu Paambala Amman Thirukovil,
Lakshmanampatti,
Old Jayamkondam (Post),
Krishnarayapuram (Taluk),
Karur District – 639 102.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus restraining the respondents from conducting any religious function including the temple festival at Survey No.1172/1B, Patta No.954 situated at Mahathanapuram South Revenue Village, Krishnarayapuram Taluk, Karur District.

For Petitioner : Mr.R.Murugappan

For R1 to R3 : Mr.P.Subbaraj
Special Government Pleader

For R4 : Mr.A.Athimoolapandian
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus restraining the respondents from conducting any religious function including the temple festival at Survey No.1172/1B, Patta No. 954 situated at Mahathanapuram South Revenue Village, Krishnarayapuram Taluk, Karur District.

2. This Writ Petition was filed on 31.05.2022 in respect of the temple festival that was proposed to be held on 03.06.2022 to 05.06.2022. The case of the petitioner appears to be that the temple in question is the family temple of the petitioner and is situated on the land owned by the petitioner's family and that the respondents have no rights over both the



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land and the temple that is situated on the petitioner's land. Hence, the petitioner has approached this Court.

3. On the other hand, the learned Special Government Pleader for the first to third respondents would submit that the temple has been brought within the purview of the H.R. & C.E. Department as early as 1974 and a fit person was appointed on 12.05.1974.

4. Considering the above submission made by the learned Special Government Pleader for the first to third respondents, I find no merits in the present Writ Petition. However, liberty is given to the petitioner to file a suit to establish that the temple is the private temple and is situated on the patta land of the petitioner.

5. With the above liberty, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

06.06.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
JEN



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C.SARAVANAN, J.

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