



W.P(MD)No.16110 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2024

CORAM :

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.P(MD)No.16110 of 2023
and
W.M.P(MD)Nos.14858, 14824, 14825, 14860 and 18215 of 2023**

Periyambadi Narasimha Gopalan

... Petitioner

VS.

1. The Commissioner,
Hindu Religious and Charitable Endowments Board,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai -600 014.

2. The District Collector,
Madurai District,
Madurai.

3. The Superintending Archaeologist,
Archaeological Survey of India,
Chennai Circle, Fort St. George, Chennai.

4. The Commissioner
Department of Archaeology,
Tamil Valarchi Valaagam,
Tamizh Salai, Egmore, Chennai.

5. The Joint Commissioner
Hindu Religious and Charitable Endowments Board,



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TNHB Colony, Ellis Nagar, Madurai,
Madurai District.

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6. The Commissioner of Police
Madurai City, Madurai.

7. The Thasildhar
Madurai West Taluk,
Madurai.

8. The Joint Commissioner / Executive Officer,
Arulmigu Meenakshi Sundareshwarar Temple,
Madurai, Madurai District.

9. The Trustees,
Valai Veesi Theppakulam,
Ponmeni, Madurai,
Madurai District.

10. M.D.Balasubramanian

11. D.Lakshmanan

12. D.Jothiramalingam (Died)

13. Vetrivel

14. J. Madhan

15. J.Devika

16. J.Shanmugapriya ... Respondents
(Respondents 14 to 16 are impleaded vide court order dated 20.06.2024 in
WMP(MD)No.18485 of 2023)

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to restore the Valai Veesi Theppakulam and Kalakovil Temple by taking appropriate action, which situated in T.S.No.35 PT (Old T.S.No. 6/1) measuring to an extent of 1.81 acres in Block No.93, Ward No.5, Ponmeni, Madurai West Taluk, Madurai, Madurai



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District, which belong to the Arulmigu Meenakshi Sundareshwarar Temple, Madurai, within the time fixed by this Court.

For Petitioner : Mr.N.Vignesh
For R1, R2, R4, R5, R7 & R8 : Mr.Veera Kathiravan
Additional Advocate General assisted by
Mr.P.Thilakkumar, Government Pleader
For R3 : Mr.K.Govindarajan
Deputy Solicitor General of India
For R6 : Mr.B.Thanga Aravind
Government Advocate (Crl.side)
For R11 : Mr.J.Bharathan
For R13 : Mr.Issac Mohanlal, Senior Counsel for
Issac Chambers
For R14 to R16 : Mr.H.Lakshmi Shankar

ORDER

(Order of the Court was made by **R.SUBRAMANIAN, J.**)

The prayer in the writ petition reads as follows:

"To issue a Writ of Mandamus, directing the respondents to restore the Valai Veesi Theppakulam and Kalakovil Temple by taking appropriate action, which situated in T.S.No.35 PT (Old T.S.No. 6/1) measuring to an extent of 1.81 acres in Block No.93 Ward No.5, Ponmeni, Madurai West Taluk, Madurai, Madurai District, which belong to the Arulmigu Meenakshi Sundareshwarar Temple, Madurai, within the time fixed by this Court."



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2. Mr.Veera Kathiravan, learned counsel appearing for the 8th respondent temple would submit that the temple has already issued notices to the trustees namely, respondents 10 to 12 and 14 to 16. The trustees have also given their reply and it is for the 8th respondent / Executive Officer of the temple to consider the same and pass orders. It is also stated that though the action of the Executive Officer was questioned in W.P(MD)No.1713 of 2023 by some of the trustees, the same was subsequently withdrawn with liberty to forward their explanations to the Executive Officer who will decide the issue.

3. In view of the said factual position, we do not find any reason to keep this Public Interest Litigation pending. The Writ Petition is, therefore, closed since the purpose has been achieved. It will be open to the parties to raise all questions before the Executive Officer who will decide. Learned Deputy Solicitor General appearing for the 3rd respondent would submit that the site in question is not under the control of the 3rd respondent and the same is recorded. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.M, J.) (L.V.G, J.)
13.08.2024

Index : Yes / No
Neutral Citation : Yes / No



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R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

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ORDER MADE IN
W.P(MD)No.16110 of 2023
DATED : 13.08.2024