



W.P.(MD).No.17043 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2024

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD).No.17043 of 2024

Sathya

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious & Charitable Endowment Department,
119, Uthamar Gandhi Salai,
Nungampakkam,
Chennai-600 034.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Elis Nagar (Near Bus Stop),
Madurai-625 016.

3.The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Pandian Nagar, 1st Street,
Dindigul-624 001.

4.The Executive Hereditary Trustee,
Arulmigu Kottai Mariamman Thirukovil,
Hereditary Trustee,
Dindigul-624 001.

5.The Executive Officer,
Arulmigu Kottai Mariamman Thirukovil,
Dindigul.

... 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 to announce the tender in all shops including small food business in the Dindigul Arulmigu Kottai Mariamman Kovil and consider the petitioner's representation, dated 07.07.2024.

For Petitioner : Mr.P.Manikandan
For R1 – R3 : Mr.R.Suresh Kumar
Additional Government Pleader
For R4 & R5 : Mr.VR.Shanmuganathan

ORDER

The petitioner is before this Court for a Mandamus to direct the 4th respondent to consider the petitioner's representation, dated 07.07.2024 favourably.

2. It is the case of the petitioner that the respondents have issued a tender notice on 22.06.2024 fixing the tentative date on of the tender auction as 24.07.2024. It is submitted while other shops have been offered for tender auction, the petitioner who is eaking out living by selling Appalam on a mobile trolley has been excluded. It is submitted that previously, a tender was floated



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on 24.02.2024, wherein the petitioner participated and was successful bidder and pursuant to the aforesaid tender auction, the petitioner was licensed to sell Appalam for 60 days. It is submitted that the period has come to an end. The learned counsel for the petitioner further submitted that renovation work is being undertaken in the Temple. It is submitted that sufficient space is available within the Temple Complex for accommodating small vendor like the petitioner. It is therefore submitted that the 4th respondent may be directed to consider the petitioner's representation dated 07.07.2024 favourably as the petitioner's livelihood is at stake.

3. On the other hand, the learned counsel for the 4th and 5th respondents would submit that Kumbabishekam for the Temple is likely to be conducted in 6 months and that renovation work is in full swing. It is further submitted that no space is available and therefore, the petitioner's request cannot be considered. It is submitted that the petitioner can participate in the ensuing tender after Kumbabishekam is over and space is available.

4. Having considered the submissions of the learned counsel for the petitioner and the respondents, I am inclined to dispose this writ petition by



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directing the respondents 4 and 5 to consider the petitioner's representation, dated 07.07.2024 positively by accommodating the petitioner as the petitioner is a small time vendor of food articles catering to the needs of devotees visiting the Temple. The respondents 4 and 5 are therefore directed to explore the possibility of holding a short tender for those who may be interested in such small stalls for a temporary period pending Kumbabishekam.

5. In view of the above, this Writ Petition is disposed of. No costs.

29.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

1.The Commissioner,
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2.The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
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3. The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
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Dindigul-624 001.
4. The Executive Hereditary Trustee,
Arulmigu Kottai Mariamman Thirukovil,
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5. The Executive Officer,
Arulmigu Kottai Mariamman Thirukovil,
Dindigul.



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C.SARAVANAN, J.

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