



W.P.(MD) No.17953 of 2022

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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.17953 of 2022

K.Selvaraj

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious & Charitable Endowments Department,
Nungambakkam High Road,
Chennai.

2.The Joint Commissioner,
Arulmighu Mariamman Thirukoil,
Samayapuram,
Trichy District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to pay the petitioner his due of share in tonsuring done in the second respondent temple for the period from December 2014 to July 2019.

For Petitioner : Mr.V.R.Shanmuganathan

For R1 : Mr.P.Subbaraj
Special Government Pleader

For R2 : Mr.S.Ramesh



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ORDER

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The petitioner is a Navithar and he has filed this writ petition directing the respondent to pay his due of share in tonsuring done in the second respondent temple for the period from December 2014 to July 2019.

2. The petitioner with a grievance that his share amount which is entitled for him in tonsuring done in the second respondent temple has not been provided, submitted a representation to the respondent on 11.06.2022. Since the said representation was not considered, the present writ petition has been filed seeking a mandamus to consider his representation.

3. The learned counsel for the petitioner submitted that it is a hereditary right, which has been conferred on the petitioner and therefore, he is entitled for the share.

4. The learned Special Government Pleader appearing for the first respondent submitted that the petitioner was suspended for certain



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corruption charges. However, he has obtained an order in his favour before this Court and thereafter, he was reinstated. Now, the petitioner by his representation is seeking share for the period, where he was not in service. In any event, the respondents would pass appropriate orders on the representation of the petitioner.

5. Considering the submissions made on either side, this Writ Petition is disposed of with a direction to the respondents to consider the representation of the petitioner dated 11.06.2022 and to take a decision as to whether he is entitled for the share or not, after providing an opportunity to the petitioner, within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

28.03.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
cp

To

1.The Commissioner,
Hindu Religious & Charitable Endowments Department,
Nungambakkam High Road,
Chennai.



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B.PUGALENDHI,J

cp

2.The Joint Commissioner,
Arulmighu Mariamman Thirukoil,
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