



W.P(MD)No.20153 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2024

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**THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.P(MD)No.20153 of 2024**

**and**

**W.M.P(MD)Nos.17098 & 17099 of 2024**

C.Shanmugavel @ Rattu Shanmugavel

... Petitioner

Vs.

1.The Commissioner,  
Hindu Religious and Charitable  
Endowment Department,  
Chennai.

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

3.The District Collector,  
Tenkasi District,  
Tenkasi.

4.The Superintendent of Police,  
Tenkasi District,  
Tenkasi.

5.The Inspector of Police,  
Aykudi Police Station,  
Tenkasi District.



**W.P(MD)No.20153 of 2024**

WEB COPY

6. The Assistant Commissioner,  
Hindu Religious and Charitable  
Endowment Department,  
Tenkasi,  
Tenkasi District.

7. The Tahsildar,  
Kadayanallur Taluk,  
Tenkasi District.

8. G. Murugaiah

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, call for the records pertaining to the impugned order, dated 01.08.2024 in Na.Ka.No. 1004/2024/Aa2 passed by the sixth respondent and quash the same and consequently directing the sixth respondent to take over the administration of the Temple, namely, Thirumalai Kaliamman Temple, Aykudi Village, Kadayanallur Taluk, Tenkasi District under the control of the Hindu Religious and Charitable Endowment Department in the light of the proceeding in Na.Ka.No.1128/2023/Aa1, dated 27.03.2023 of the sixth respondent within the stipulated period as framed by this Court and pass such further or other orders as this Court.

For Petitioner : Mr.A.Sankararamasubramanian

For R-1, R-2,  
R-3, R-6 & R-7 : Mr.K.S.Selvaganesan  
Additional Government Pleader



WEB COPY



W.P(MD)No.20153 of 2024

For R-4 & R-5 : Mr.M.Vaikkam Karunanithi  
Government Advocate

For R-8 : Mr.S.G.L.Rishwanth

### **ORDER**

The present writ petition is filed challenging the impugned order, dated 01.08.2024, which was passed pursuant to the order of this Court in W.P(MD)No.8692 of 2023, wherein, while considering the prayer for a writ of Mandamus to consider the petitioner's representation, dated 07.03.2023 and to protect the right to worship inside the temple and grant permission to conduct the Kodai Festival, this Court was pleased to observe that the devotees are entitled to clean the premises and that if any major work is required, representation would be made before the Assistant Commissioner, Hindu Religious and Charitable Endowment Department.

2. The relevant portion of the said order is extracted hereunder:

*"3.The petitioner's counsel states that the temple requires worship and cleaning. The devotees are entitled to clean the premises. As regards undertaking of any major work, representation can be made before the seventh respondent, who shall do the needful. It is true that as on date, the temple has not been brought under the purview of*



W.P(MD)No.20153 of 2024

*the Hindu Religious and Charitable Endowment Department. This process make take quite some time. But as an interim measure, the Assistant Commissioner, Hindu Religious and Charitable Endowment Department, Tenkasi is directed to pass an appropriate order on the representation that may be received for carrying out basic repair works."*

3. Pursuant to the above direction of this Court, the impugned order has been passed. It is submitted by the learned Counsel for the petitioner that the eighth respondent, who was the petitioner in the earlier writ petition has also undertaken major work contrary to the order, dated 01.08.2024.

4. This Court is of the view that the entire writ petition is misconceived insofar as, it challenges the order, dated 01.08.2024. Assuming that the petitioner's submission is right, then the petitioner cannot have any grievance over the legality of the order, dated 01.08.2024. If at all the petitioner has any grievance regarding the actions of the eighth respondent, he may have to approach the sixth respondent for the same.



**W.P(MD)No.20153 of 2024**

WEB COPY

5. In view thereof, the writ petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

**30.08.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
BTR

To

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- 3.The District Collector,  
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- 4.The Superintendent of Police,  
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W.P(MD)No.20153 of 2024

WEB COPY

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WEB COPY



**W.P(MD)No.20153 of 2024**

**MOHAMMED SHAFFIQ, J.**

BTR

**W.P(MD)No.20153 of 2024**

**30.08.2024**