



W.P(MD)No.20031 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.20031 of 2024

D.Baskaran

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments
Department,
Chennai-24.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department,
Sivagangai District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department,
Sivagangai District.
- 4.Fit Person / Thakkar,
Arulmigu Anuchakudi Sree Kaliyamman Thirukoil,
Anuchakudi, Ariyankottai,
RS Mangalam Taluk,
Ramanathapuram District.
- 5.R.Nagamuthu



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6.S.M.A.Saravanan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to forbear the respondents 5 and 6 from proceeding further with such a unauthorized collection of funds from the general public under the guise of conducting Varushabhisekam ceremony, dated 24.08.2024 and consequently direct the respondent 1 to 3 to take appropriate action against the illegal act of the respondents 5 and 6 based on the representation, dated 14.08.2024 and to pass such further or other orders as this Court.

For Petitioner : Mr.S.Ramanathan

For R-1 to R-3 : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

The present writ petition is filed for Mandamus, directing the respondents 1 to 3 to forbear the respondents 5 and 6 from making unauthorized collection of funds from the general public under the guise of conducting Varushabhisekam ceremony, dated 24.08.2024 and consequently direct the respondents 1 to 3 to take appropriate action against the illegal act of the respondents 5 and 6 based on the representation, dated 14.08.2024.



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2. It is submitted that Arulmigu Anuchakudi Sree Kaliyamman Temple conducts Varushabhisekam and the same is scheduled to be held on 24.08.2024. The private respondents 5 and 6 issued pamphlet and engaged in collection of donations from the general public in the name of the Temple as if the pamphlet was addressed by the official respondents along with the administrative committee. However, there is no such committee. It is further submitted that private respondents 5 and 6 are no way related to the Temple. However, such pamphlets are circulated to illegally collect and misappropriate public fund in the name of the Temple.

3. It may be relevant to note that this is the second round of litigation. The respondents 5 and 6 was involved in such illegal acts even during the previous year. The petitioner thus filed W.P(MD)No.20408 of 2023 with identical prayer and the said writ petition was disposed of on 31.08.2023, whereby, the fourth respondent was appointed as the Fit person and was authorized to collect fund for conducting Kumbabhisekam function and respondents 5 and 6 were restrained from collecting money.



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4. In this regard, the petitioner submitted a representation to the respondents 1 to 3 on 14.08.2024 to take appropriate action against the illegal act of the respondents 5 and 6. Since the said representation was not considered, the present writ petition is filed.

5. It was submitted by the learned Additional Government Pleader appearing for the official respondent that the representation of the petitioner would be considered and orders would be passed within a period of four (4) weeks from the date of receipt of a copy of this order, which was agreed to by the learned Counsel for the petitioner.

6. Recording the same, this writ petition stands disposed of with a direction to the third respondent to consider the petitioner's representation dated 14.08.2024 and pass orders on merits and in accordance with law, after putting on notice the respondents 5 and 6 and any other interested parties within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the third respondent to consider the



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representation on its own merits and in accordance with law. There shall be no order as to costs.

21.08.2024

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

To

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MOHAMMED SHAFFIQ, J.

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