



W.P.(MD)No.20960 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.20960 of 2024
and
W.M.P.(MD)No.17746 of 2024

Sundarrajan

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
S.M.Road nearly Temple Tower,
Thanjavur District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
North 3rd Street,
Pudukottai District.
- 4.The Executive Officer,
Hindu Religious and Charitable Endowments Department,
Shri Pragathammbaal Kovil Campus,
Pudukottai District.



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5.The Inspector,

O/o. Hindu Religious and Charitable Endowments Department,

Near Sri Nadiyamman Kovil,

Vadakadu Mudukkam,

Alangudi Taluk,

Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the fourth respondent through his proceedings ந.க.எண்.529 / 2024 / ஹைக் dated 09.08.2024 and quash the same as illegal and consequently directing the respondents 2 to 4 to permit the petitioner to participate in the work of compound wall and kumbabisegam works ie., Marundhu Saathudhal, Construction of Yagasalai as a Upaya Thirupani in Shri Balapuriswarar Loganayagi Ambal Temple situated at Koviloor Village, Alangudi Taluk, Pudukkottai District based on the petitioner's representation dated 01.06.2024 and 24.06.2024.

For Petitioner : Mr.A.Banumathy

For R-1 to R-3 : Mr.K.S.Selva Ganesan
and R-5 Additional Government Pleader

For R-4 : Mr.V.Chandrasekar

ORDER

This Writ Petition has been filed challenging the impugned proceedings dated 09.08.2024 which was passed pursuant to the orders of this Court dated 24.07.2024 passed in W.P.(MD)No.16655 of 2024, wherein a direction was issued to the respondents to dispose of the petitioner's representation dated



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01.06.2024 and 24.06.2024 seeking to permit the petitioner's community people to participate in the construction of compound wall and Kumbabisegam works, viz., Marunthu Saathudhal, and Construction of Yagasalai as a Upaya Thirupani in Shri Balapuriswarar Loganayagi Ambal Temple situated at Koviloor Village, Alangudi Taluk, Pudukottai.

2. Pursuant to the said order of this Court, the impugned proceedings came to be passed by the fourth respondent, wherein the petitioner was permitted to submit representation with regard to participation in the construction of the compound wall, as and when it is undertaken.

3. It is submitted by the learned counsel for the respondents that the impugned order was passed in view of the fact that all other works relating to Kumbabisegam have already been assigned/nominated to different individual donors as early as 28.02.2022 and the petitioner could not be accommodated, as they approached the respondent authorities after the work has been assigned/nominated to various individual donors.

4. The learned Additional Government Pleader for the respondent authorities would further submit that since the construction work of compound



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wall is yet to be initiated and if the petitioner submits a representation, when there is a proposal to construct the compound wall, the same would be considered and the petitioner would be permitted to participate in the said work and any contribution made by the petitioner would also be accepted. However, it was sought to be made clear that the contribution would have to be in the petitioner's individual capacity, agreed to by the learned counsel for the petitioner.

5. Recording the same, this Writ Petition is disposed of and the petitioner may submit a representation before the respondent authorities, when there is a proposal for the construction of compound wall. On receipt of such representation, the respondent authorities shall consider the same and permit the petitioner to participate in the said work and any contribution made by the petitioner shall also be accepted. It is made clear that the contribution would have to be in the petitioner's individual capacity. No costs. Consequently, connected miscellaneous petition is closed.

03.09.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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MOHAMMED SHAFFIQ, J.

Nsr

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