



W.P.(MD).No.22413 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2024

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.(MD).No.22413 of 2024

1.Selvarasu Servai

2.Karupaiah Servai

... Petitioners

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Thanjavur District.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Pudukkottai.

3.The Inspector,
Hindu Religious and Charitable
Endowment Department,
Pudukkottai District.

4.The Hereditary Trustee of
Sri Senbagasathayanar Temple,
Nambooranipatti,
Thirumayam Taluk,
Pudukkottai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the 1st respondent to



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pass appropriate order to conduct the temple festival of Terracotta Horse Procession scheduled on 27.09.2024 of Sri Senbagasathayyanar Temple in SF.No.73 situated at Nallambal Samuthiram Village, Thirumayam Taluk, Pudukkottai District conducted by the aforesaid Nambooranipatti, Kovilpatti and Mavadipatti Villagers, by considering the petitioners' representation dated 04.09.2024 in the light of the judgments of this Court in Writ Petitions in W.P. (MD).Nos.28048 of 2022 and 7678 of 2023 dated 27.07.2023 and Writ Appeal in W.A.(MD).Nos.1900 and 1933 of 2023 and relevant documents and the previous orders passed by the Joint Commissioner of HR and CE and Tahsildar of Thirumayam.

For Petitioners	: M/s.R.Paranjothi
For R-1 to R-3	: Mr.K.S.Selvaganesan Additional Government Pleader
For R-4	: Mr.G.Mathavan

ORDER

The present Writ Petition is filed for Mandamus directing the first respondent to pass appropriate orders to conduct the temple festival of Terracotta horse procession of Sri Senbagasathayyanar Temple in SF.No.73 situated at Nallambal Samuthiram Village, Thirumayam Taluk, Pudukkottai District, which is scheduled on 27.09.2024, by the villagers of Nambooranipatti, Kovilpatti and Mavadipatti, by considering the petitioners' representation dated 04.09.2024.



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2. It is submitted by the learned counsel for the petitioners that Arulmighu Senbagasathayyanar Temple is maintained by the hereditary trustee and the villagers of Nambooranipatti, Kovilpatti and Mavadipattai are the devotees of the said temple. The villagers are performing terracotta horse procession every year in the Tamil month of Puratasi and the said festival is scheduled to be conducted on 27.09.2024. The petitioners along with two others submitted a representation to the first respondent on 04.09.2024 seeking to pass appropriate orders with regard to the conduct of horse procession as part of the temple festival. Since the said representation was not considered, the present Writ Petition has been filed.

3. Mr.K.S.Selvaganesan, learned Additional Government Pleader takes notice for the respondents 1 to 3. Mr.G.Mathavan, learned counsel takes notice for the fourth respondent.

4. At the outset, the learned counsel for the fourth respondent, who is the hereditary trustee of the said temple, would submit that the petitioners may submit a representation before the fourth respondent and if any such representation is received, the same would be duly considered and orders would



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be passed in accordance with law, after issuing notice to the petitioners and all other interested parties/stake holders, which was agreed to by the learned counsel for the petitioners.

5. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, the petitioners may submit a representation before the fourth respondent. If any such representation is received, the fourth respondent shall consider the same on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioners and other interested persons/stake holders, as expeditiously as possible. 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 concerned respondent to consider the representation on its own merits and in accordance with law.

6. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs.

23.09.2024

Index : Yes / No
Internet : Yes/ No
Lm



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Note: Issue order copy by 25.09.2024.

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To

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Hindu Religious and Charitable
Endowment Department,
Thanjavur District.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Pudukkottai.

3.The Inspector,
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MOHAMMED SHAFFIQ, J.

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