



W.P.(MD) No.23251 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD) No.23251 of 2024

T.Venkatesan

...

Petitioner

-vs-

1.The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department,
Ellis Nagar,
Madurai.

2.The Executive Officer,
Arulmigu Sri Nachiyar (Andal) Temple,
Srivilliputhur,
Virudhunagar District.

...

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, forbearing the 2nd respondent from interfering with the petitioner's legitimate rights as poosari of Arulmigu Alamelu Mangai Ammal Temple Thiruvannamalai, Srivilliputhur, Virudhunagar District, on the basis of the order, dated 10.04.1987, made in OA No.17/1985 on the file of the Deputy Commissioner, Hindu Religious and



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Charitable Endowment Department, Madurai, (at present The Joint Commissioner Hindu Religious and Charitable Endowment Department, Madurai).

For Petitioner : Mr.R.G.Shankar Ganesh

For Respondent 1 : Mr.K.S.Selvaganesan,
Addl.Govt.Pleader.

For Respondent 2 : Mr.P.Mahendran

ORDER

This Writ Petition has been filed praying for issuance of a writ of mandamus, forbearing the 2nd respondent from interfering with the petitioner's rights as Poosari of Arulmigu Alamelu Mangai Ammal Temple Thiruvannamalai, Srivilliputhur, Viruthunagar District.

2. After submitting for a brief while, learned counsel for the petitioner would submit that the Original Application under Section 63 (e) of the Hindu Religious and Charitable Endowments Act has been filed before the first respondent - Joint Commissioner for recognising the petitioner's rights and though the Original Application has been filed, it is yet to be numbered.



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WEB COPY It is further submitted, that, in the meanwhile, the petitioner has been performing his duty as Poosari ever since the demise of his father sometime in the year 1993.

3. Learned Additional Government Pleader, appearing for the first respondent, would submit that the remedy available to the petitioner is only to pursue the Original Application, which has been filed before the Joint Commissioner.

4. In view of the above, this Court is inclined to direct the first respondent – Joint Commissioner to number the Original Application, if it is otherwise in order, and dispose of the same on merit and in accordance with law, after hearing the petitioner and all other interested parties, within a period of four months. Until then, status quo shall be maintained by the parties.

5. Learned counsel for the second respondent would request that the second respondent may also be made a party before the Joint Commissioner, to which, learned counsel for the petitioner would submit that the second respondent has already been arrayed as a party in the Original Application filed by the petitioner before the Joint Commissioner.



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6. Writ Petition is disposed of accordingly. No costs.

Consequently, the connected W.M.P.(MD) No.19694 of 2024 is closed.

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NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1.The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Department,
Ellis Nagar,
Madurai.

2.The Executive Officer,
Arulmigu Sri Nachiyar (Andal) Temple,
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MOHAMMED SHAFFIQ, J.

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