



W.P.(MD)No.23515 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.23515 of 2023

and

W.M.P.(MD)No.19715 of 2023

Krishnan

... Petitioner

Vs.

1.The Assistant Commissioner,
Hindu Religious Charitable
and Endowments Department,
Nagercoil.

2.The Executive Officer,
A/m. Isakkiamman Thirukoil,
Mupanthal (East),
Kanyakumari District.

3.The Joint Commissioner,
Hindu Religious Charitable
and Endowments Department,
Thirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings of the second respondent in Na.Ka.No.24 of 2023 dated 17.07.2023 and quash the same and consequently direct the third respondent to dispose of the application filed by the petitioner and others under Section 64 of the HR and CE Act for framing/settling a scheme for the Temple



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viz., Arulmigu Esakki Amman Temple, Aralvoimozhi and Perumalpuram Village, Kanyakumari District.

For Petitioner : Mr.V.R.Shanmuganathan

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

ORDER

This Writ Petition is filed seeking to quash the order of the second respondent dated 17.07.2023 and consequently direct the third respondent to dispose of the application filed by the petitioner and others under Section 64 of the HR and CE Act for framing/settling a scheme for the Temple viz., Arulmigu Esakki Amman Temple, Aralvoimozhi and Perumalpuram Village, Kanyakumari District.

2. It was submitted by the learned counsel for the petitioner that in the earlier round of litigation, there were questions raised as to whether the temple in issue was a private temple or a denomination temple. Both the matters have been decided by the Hon'ble Supreme Court in SPL.C.No.28612 of 2023, wherein, it has been found that it is neither private temple nor denomination temple, there is no dispute as to the above status/facts. The present question is



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only with regard to the administration of the temple, until the Original

Application which is pending before the third respondent, is disposed of.

3. It is submitted by the learned counsel for the petitioner that though the Hon'ble Supreme Court has held that the temple is neither denominational temple nor private temple, nevertheless they have been in administration and continued to do so and their only request is that, until the O.A is disposed of, they may not be disturbed.

4. The learned Additional Government Pleader for the respondents would submit that the Original Application would be disposed of within a period of four weeks from the date of receipt of a copy of this order and *status quo* would also be maintained until then.

5. Recording the same, this Writ Petition stands closed. No costs. Consequently, connected miscellaneous petition is closed.

12.08.2024

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



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To:

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- 3.The Joint Commissioner,
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MOHAMMED SHAFFIQ, J.

Nsr

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