



W.P.(MD) No.26970 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.26970 of 2024

R.Muthaiah

.. Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai-34.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Madurai.

3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Virudhunagar.

4.The Executive Officer/Special Officer,
A/M.Senthatti Ayyanar Thirukoil,
Senthathiyapuram, Valaiyapatti,
Keezhanmarai Village, Vembakottai,
Virudhunagar.

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 30.10.2024.

For Petitioner : Mr.S.Madhavan
For R1 to R3 : Mr.P.Subbaraj
Special Government Pleader
For R4 : Mr.P.Mahendran

ORDER

The prayer sought for in the writ petition is seeking for a mandamus to direct the respondents to consider the representation of the petitioner dated 30.10.2024.

2. A perusal of the said representation would indicate that the petitioner had wanted certain Agamas to be followed in the Kumbabishegam that is to be conducted at Arulmighu Senthatti Ayyanar Thirukoil, Senthatiyapuram, Valaiyapatti, Keezhanmarai Village, Vembakottai, Virudhunagar.. The specific prayer in the representation is



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that for the Kumbabishegam that is to be conducted on 17.11.2024, devotees who also worship the deity as their kuladevadar, should also be permitted to worship on the said date.

3. Mr.P.Mahendran, learned counsel appearing for the fourth respondent by placing materials before this Court, had contended that the consecration of the temple is to take place on 17.11.2024 and the works regarding the same were started as early as in the year 2022. Permission has also been sanctioned by the first respondent herein based on certain conditions that had been imposed by the first respondent. He would further rely upon a decision of a Division Bench of this Court in ***Pakshi Sivarajan S. and another vs. State of Tamil Nadu and others*** reported in ***2016 (1) CTC 129*** and contend that this Court cannot interfere with the Agamas that have been performed. He also contended that various renovation works have also been fully completed and therefore, the request of the petitioner to have the consecration of the temple during the month of Panguni could not be entertained at this stage.



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4. I have considered the rival submissions made by the respective parties.

5. In the representation dated 30.10.2024, the petitioner had sought for the consecration of the temple to be held during the month of Panguni that too when the date coincides with the Panguni Uthiram.

6. As rightly pointed out by the learned Special Government, the judgment of this Court reported in **2016 (1) CTC 129** had categorically held that it is not for the Court to decide on which day, the consecration should be conducted. A decision has already been taken by the authorities to have the consecration of the temple on 17.11.2024. It seems to have been taken even in the month of October, 2024 by taking into consideration that the temple is ready for carrying out the consecration. When that be so, this Court, at this juncture is not inclined to entertain the writ petition.



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7. In fine, this Writ Petition is dismissed. There shall be no order as to costs.

12.11.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

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K.KUMARESH BABU, J.

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