



W.P(MD)No.21725 of 2017

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.21725 of 2017
and
W.M.P(MD)No.18030 of 2017**

V.Radhakrishnan

... Petitioner

vs.

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tirunelveli.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Tirunelveli.
- 3.The Fit Person/Executive Officer,
Hindu Religious and Charitable Endowments Department,
Arulmigu Valavanthal Amman Temple,
Valavanthalpuram,
Sankarankovil Taluk,
Tirunelveli District.
- 4.Rajendran
- 5.Senthur
- 6.Mathivanan
- 7.Kannan

... Respondents



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WEB C **PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to take appropriate action thereby stopping the unauthorized Temple construction activities carried by the respondents 4 to 7 in connection with Arulmigu Sri Valavanthal Amman Temple, Valavanthalpuram, Sankarankovil Taluk, Tirunelveli District.

For Petitioner	: Mr.U.Antony Santhosh
For RR 1 & 2	: Mr.S.P.Maharajan Special Government Pleader
For R – 3	: Mr.S.Manohar
For RR 4 to 7	: No appearance

ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to take appropriate action for stopping the unauthorized Temple construction activities by the respondents 4 to 7 in connection with Arulmigu Sri Valavanthal Amman Temple, Valavanthalpuram, Sankarankovil Taluk, Tirunelveli District.



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2. According to the petitioner, earlier Arulmigu Valavanthal Amman Temple was managed by some private people and as on date, the third respondent is the fit person cum Executive Officer appointed by HR & CE Department to look over the affairs of the said Temple. In the mean time, the respondents 4 to 7 have formed a Temple committee on their own and without getting any permission from the respondents 1 to 3, they received donations from the people in the surrounding areas and they are constructing the above Temple. Hence, the petitioner made a representation dated 06.09.2017 to the respondents 1 to 3 stating that the said Temple has been constructed by the respondents 4 to 7 without getting proper permission from the HR & CE Department. Since the said representation has not been considered, the present Writ Petition has been filed.

3. The learned counsel appearing for the third respondent would submit that the first respondent is the competent authority to consider the representation of the petitioner.

4. Considering the facts and circumstances of the case, if any such representation is pending before the Joint Commissioner/the first respondent, it is for him to look into the allegation made by the petitioner



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and pass appropriate orders on merits and in accordance with law, after providing due opportunity to the parties concerned. Such an exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K.,J.] [R.V.,J.]
24.01.2024

NCC : Yes / No
Index : Yes / No
ps



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To

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D. KRISHNAKUMAR,J.
and
R.VIJAYAKUMAR,J.

ps

ORDER MADE IN
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