



W.P.(MD)No.27061 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.27061 of 2023

M.Palpandi

... Petitioner

versus

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
No.119, Uthamar Gandhi Street,
Nungampakkam,
Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
No.B-1, Road, Ellis Nagar,
Madurai.

3. Ponnupandiyan,
S/o.Sivaji,
Hereditary Trustee,
Arulmighu Pandi Muneeshwarar Temple,
Pandikovil,
Madurai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,



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seeking for the issuance of Writ of Mandamus, to direct the 2nd respondent to dispose the petitioner's representation dated 18.03.2023.

For Petitioner : Mr.A.Vadivel

For R1 and R2 : Mr.P.Subba Raj,
Special Government Pleader

For R3 : Mr.V.R.Shanmuganathan

ORDER

The petitioner claims that he has been doing the goat sacrifice work in Arulmighu Pandi Muneeshwarar Temple at Madurai. Now, the petitioner has been prevented from doing the goat sacrifice work and therefore, he has submitted a representation to the second respondent/the Joint Commissioner of HR&CE Department, Madurai, on 18.03.2023 and has filed this writ petition for a Mandamus directing the second respondent to consider his representation.

2. The learned counsel appearing for the petitioner submits that the petitioner's group was performing the goat sacrifice work in the



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Temple from the year 2015 to 2022 and they alone are having the right of performing the sacrifice work. However, the present Administrators of the Temple are not allowing the petitioner to perform the goat sacrifice work.

3. Mr.Shanmuganathan, learned counsel, who takes notice for the 3rd respondent/Hereditary Trustee of the Temple, submits that there is no document in their office to establish the right of the petitioner. In the event, if the petitioner establishes his right before the second respondent/the Joint Commissioner, HR&CE Department, Madurai, then, they will permit him to do the goat sacrifice work in the temple.

4. Mr.P.Subba Raj, learned Special Government Pleader, who takes notice for the respondents 1 and 2 submits that the petitioner can establish his right by filing an application under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.



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6. Considering the rival submissions made, this writ petition is disposed of with liberty to the petitioner to submit an application under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, before the second respondent, along with the relevant documents to establish his right that he is continuously doing the goat sacrifice work in Arulmighu Pandi Muneeshwarar Temple, within a period of three weeks from the date of receipt of a copy of this order. On receipt of such application, the second respondent shall consider the same and and pass orders as expeditiously as possible. No costs.

23.01.2024

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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B.PUGALENDHI, J.

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