



W.P.(MD)No.28084 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.28084 of 2023

and

W.M.P(MD).Nos.24172 and 24173 of 2023

Arulmigu Vandi Karuppana Swami Thirukovil,
Thangammapatti, Vedachandur Taluk,
Dindigul District,
Represented by its Hereditary Trustee,
A.Renganathan

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai – 34.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul.
- 4.The Executive Officer,
Arulmigu Vandikaruppana Swamy Thirukovil,
Thangammapatti,
Dindigul District.
- 5.P.Rajendran



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6.A.Karuppiah

7.P.Murugan

8.G.Kaliappan

9.P.Ayyan Ambalam

10.G.Chinnasamy

11.M.Perumal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the entire records pertaining to the order passed by the second respondent in O.A.No.50 of 2022 (Originally O.A.No.7 of 2018) dated 31.10.2023 in respect of granting permission to the respondents 5 to 11 for having a right so as to cause Abishekam, Alangaram, Deepam Kattudhal, Nei Veidhiyam and Vibudhi Kuduthal to the deity by name Arulmigu Vandi Karuppana Swamy situated at Thangamapatti Village, Vedasantur Taluk, Dindigul District as a "honor" in terms of Section 63(e) of Hindu Religious and Charitable Endowment Act and quash the same.

For Petitioner : Mr.R.Anand

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

For R-5 and : Mr.M.Ajmal Khan
and 7 to 11 Senior Advocate
For M/s.Ajmal Associates

For R-6 : Mr.S.Rajasekar



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ORDER

The present Writ Petition is filed challenging the order passed by the second respondent in O.A.No.50 of 2022 (Originally O.A.No.7 of 2018) dated 31.10.2023, whereby permission was granted to the respondents 5 to 11 to perform Abishekam, Alangaram, Deepam Kattudhal, Nei Veidhiyam and Vibudhi Kuduthal to the deity by name Arulmigu Vandi Karuppana Swamy situated at Thangamapatti Village, Vedasantur Taluk, Dindigul District as customary rights / honor in terms of Section 63(e) of Hindu Religious and Charitable Endowment Act.

2. The learned Additional Government Pleader for respondents 1 to 3 made an objection stating that the order in question is appealable in terms of Section 69(1) of the Act before the Commissioner of the Hindu Religious and Charitable Endowment Department.

3. At this juncture, the learned counsel for the petitioner submitted that the petitioner may be granted liberty to file an appeal under Section 69 of the Act and may also be permitted to move an application for stay and that interim



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application may be disposed of within the time limit that may be stipulated by this Court, to which the learned Additional Government Pleader as well as the learned counsel for 6th respondent did not have any serious objections.

4. In view thereof, this Court grants liberty to the petitioner to file an appeal within a period of two weeks from the date of receipt of a copy of this order along with the stay application and the appeal shall be disposed of within a period of three months therefrom. If any stay application is filed, the same shall be decided within a period of three weeks from the date of filing of the application.

5. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

11.09.2024

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

Note: Issue Order Copy on 13.09.2024.



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MOHAMMED SHAFFIQ, J.

Nsr

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