



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

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THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.6063 of 2025

M.Sundaram

... Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Salem District – 636 001.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Arulmigu Vennankodi Muniyappa Swamy Temple,
Omalur Main Road,Jagir Ammapalayam,
Salem District – 636 302.
3. The Executive Officer,
Hindu Religious and Charitable Endowment Department,
Arulmigu Vennankodi Muniyappa Swamy Temple,
Omalur Main Road,Jagir Ammapalayam,
Salem District – 636 302.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to permit the petitioner to run the Prasatham Shop in the temple premises with the temporary shed adjacent to the other tenants in the Arulmigu Vennankodi Muniyappa Swamy Temple, Jagir Ammapalayam, Salem based on the



representation made by the petitioner to the third respondent on 19.01.2025.

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For Petitioner : Mr.C.Prabakaran

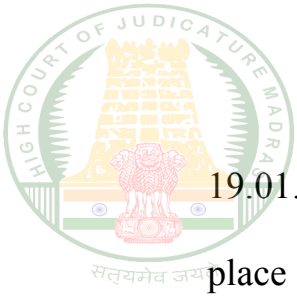
For Respondents : Mr.N.R.R.Arun Natarajan,
Special Government Pleader (HR & CE)

ORDER

This is the third writ petition filed by the petitioner. Earlier, when the petitioner filed a writ petition with reference to his eviction, the eviction was confirmed and the petitioner was evicted. The second writ petition was filed with reference to the payment of arrears. Now, the learned counsel submits that the arrears have also been paid.

2. As far as this writ petition is concerned, there are two prayers. One is to allow the petitioner alongside the temporary shops to keep his Prashadham shop. The learned Special Government Pleader submits that the temporary shops cannot be permitted in view of the fact that the Temple is abutting the national highways and all such temporary shops are being removed. Therefore, that part of the prayer cannot be countenanced by this court.

3. The other part of the prayer in the representation dated



19.01.2025 is that the Temple Authorities have put up regular shops in the place where the petitioner was originally conducting business and these shops are ready to be reallocated to third parties. The petitioner is only seeking a preference in respect of the allotment of the said shop. Therefore, with reference to the said prayer, it is for the respondents to consider the representation of the petitioner dated 19.01.2025 in accordance with the rules and procedures and take a decision and in the event, they are willing to allot the shop to the petitioner on a preferential basis, the same can be intimated. Even otherwise if the shop has to be given only by way of public auction, a decision can also be taken on whether any preference can be given to the petitioner to match the highest quoted rent and to occupy the premises.

4. With the above direction, the writ petition stands disposed of.

No costs.

21.02.2025

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Neutral Citation : No



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D.BHARATHA CHAKRAVARTHY, J.

skr

To

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