



W.P.No.16165 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED :28.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.16165 of 2025
& W.M.P.No.18294 of 2025

M. Sundaram, M/a.50 years,
S/o. Muthu,
No.1496/2, B.G.Nagar,
Jagir Ammapalayam,
Salem - 636 302.

... Petitioner

/versus/

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.



W.P.No.16165 of 2025

4. Govindraj,
S/o. not known,
Harur Main Road,
Kuppanur,
Ayothiapattinam,
Salem Taluk and District.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2 and 3 to allot the Shop No.7 to run the *Prasatham* shop in Arulmigu Vennankodi Muniyappa Swamy Temple, Jagir Ammapalayam, Salem to the petitioner, based on the representation made by the petitioner on 16.4.2025.

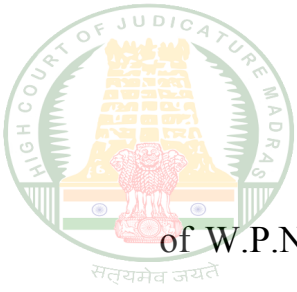
For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.S.Ravi Chandran, AGP, for R1 to R3

ORDER

The writ petition is filed challenging the respondents 2 & 3 to allot Shop No.7 to run the *Prasatham* shop in Arulmigu Vennankodi Muniyappa Swamy Temple, Jagir Ammapalayam, Salem to the petitioner, based on their representation made by the petitioner on 16/4/2025.

2. Upon hearing the Learned Counsel for the petitioner, it can be seen that on an earlier round when the petitioner approached this Court by way



W.P.No.16165 of 2025

of W.P.No.6063 of 2025 by an order dated 21.02.2025, the writ petition was

WEB COPY disposed of on the following terms.

“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



WEB COPY



W.P.No.16165 of 2025

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.”

3. After hearing both the learned counsels, it can be seen that the auction went ahead as per schedule and it is the 4th respondent who bid for sum of Rs.8,51,000/-. On the same day, the petitioner made a representation stating that he would also deposit the said amount and requested to consider his case.

4. It is now stated by the Learned Additional Government Pleader appearing on behalf the respondents 2 & 3 that the respondents considered the said request. The petitioner, his son and daughter participated in the auction. However, they were not successful.

5. Considering that the *Prasadham* shop is going to be auctioned in respect of every *fasli* year, the respondents have decided that there cannot be any preferential basis to the petitioner. Though the said submission is made,



W.P.No.16165 of 2025

the earlier direction of this Court was only to consider the said request of the petitioner. It would be open for the respondents to dispose of the representation and convey the decision in writing to the petitioner. The said exercise shall be completed within a period of two weeks, from the date of receipt of web copy of the order without waiting for the certified copy of this order.

6. In view thereof, this writ petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

28.04.2025

Neutral citation :No.
bsm

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.



W.P.No.16165 of 2025

4. The Government Pleader,
High Court,
Madras.



WEB COPY



W.P.No.16165 of 2025

D.BHARATHA CHAKRAVARTHY, J.

bsm

Writ Petition No.16165 of 2025

28.04.2025