



WEB COPY



W.P.No.37740 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA

CHAKRAVARTHY

W.P.No.37740 of 2024 and
W.M.P.No.40799 of 2024

Mani @ Rajendran

... Petitioner

Vs.

1.The Commissioner
Hindu Religious Institution & Charitable Trusts,
3rd Floor, Collectorate Complex,
Vazhudavur Road, Pettaiyanchathiram,
Puducherry 605 009.

2.The Temple Administration Officer,
Arulmigu Sri Angalamman Devasthanam,
Madagadipet,
Puducherry 605 107.

....Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents 1 & 2 herein from interfering with the petitioner while performing the first day Urchavam viz, “Kodiyetru Thiruvizha” in the Arulmigu Sri Angalamman Devasthanam,



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Situated at Madagadipet, Mannadipet Commune, Puducherry as per the customary practice existing in the Temple from time immemorial.

For Petitioner : Mr.D.Ravichander
For Respondents : Mr.V.Vasanthakumar, AGP
Puducherry

ORDER

This Writ Petition is filed for a Certiorarified Mandamus calling for the records pertaining to the order dated 05.09.2024 issued by the second respondent and consequently, to consider the petitioner's letter of representation, dated 22.11.2024.

2.The case of the petitioner is that the petitioner and his family are only conducting the first day of the festival in the Arulmigu Sri Angalamman Devasthanam, Madagadipet. While so, in some preceding years, on account of personal enmity that was sought to be denied and specific orders have been passed against restoring the said customary practice of the petitioner. Now once again, the same is now sought to be denied to the petitioner and therefore, the petitioner is before this Court.



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3.Mr.V.Vasanth Kumar, the learned Additional Government Pleader, on instructions would submit that the report of the Executive Officer reveals otherwise that there existed no such customary practices and it is only a particular social group, which conducted and not the petitioner alone.

4.Be that as it may, whether the festival belongs to a particular social group or whether the petitioner is entitled for any customary right, it is for the petitioner to move the authorities under the Act and to get a declaration or it is for the petitioner to approach the competent Civil Court to establish if there is any such customary practice. That liberty to the petitioner is kept open. As far as the present year is concerned, it is submitted by the learned Additional Government pleader as well as the learned counsel for the petitioner that everybody will be involved in the conduct of the festival and the petitioner will not be excluded in any manner.

5.In view thereof, let the festival be conducted amicably by



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involving everyone and the petitioner need not be excluded. With the above

WEB COPY observations and directions, the writ petition stands disposed of. No Costs.

Consequently, connected miscellaneous petition is closed. Without awaiting for the copy of the order, the learned counsels are requested to inform the concerned authorities not to exclude the petitioner.

28.02.2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

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D.BHARATHA CHAKRAVARTHY, J.

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