



W.P.(MD) No.3124 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.02.2025

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD) No.3124 of 2025

and

W.M.P.(MD) No.2186 of 2025

K.Subbu

... Petitioner

Vs.

- 1.The District Collector,
Collectorate, Sivagangai,
Sivagangai District.
- 2.The Superintendent of Police,
Sivagangai,
Sivagangai District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Collectorate, Sivagangai.
- 4.The Inspector,
Hindu Religious and Charitable
Endowments Department,
Karaikudi, Sivagangai District.
- 5.Muthu
- 6.Sumathi
- 7.Ganesan

... Respondents



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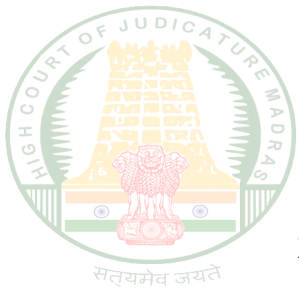
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Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of a Writ of Mandamus directing the first respondent herein to take appropriate action against the fifth, sixth, and seventh respondents for collecting donation from the public in their names and demolishing the earlier structure in the Temple without permission from the Government, within the time limit as fixed by this Court.

For Petitioner : Mr.K.Raghul Priyan
For R1 & R3 : Mr.P.Subbaraj
Special Government Pleader
For R2 & R4 : Mr.P.T.Thiraviyam
Government Advocate
For R5 : Mr.B.Muruganandam
Mr.S.Sivathilakar

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the first respondent herein to take appropriate action against the fifth, sixth, and seventh respondents for collecting donation from the public in their names and demolishing the earlier structure in the Temple without permission from the Government, within the time limit as fixed by this Court.



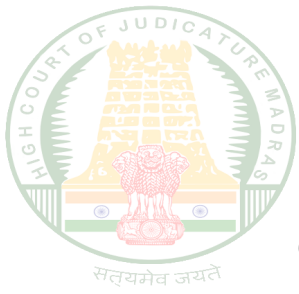
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2. The cause of action for this Writ Petition is that the fifth to seventh respondents have been collecting funds in the name of Arulmigu Pananthudayalnar Thirukovil, Palaiyur Village, Kandanur Post, Karaikudi Taluk, Sivagangai. Earlier, the fifth to seventh respondents had been appointed as non-hereditary trustees. The petitioner, along with two other persons, filed W.P.(MD) No.9161 of 2024. The said Writ Petition was allowed on 10.01.2025. The plea of the petitioner is that even if the order has been passed, the fifth to seventh respondents herein are acting as if they are non-hereditary trustees and collecting funds by erecting boards in and around the temple.

3. When the matter came up for hearing yesterday, taking note of the order passed by this Court on 10.01.2025, I called upon the Special Government Pleader to get instruction as to, on what capacity the fifth to seventh respondents are interfering with the administration of the temple.

4. When the matter was taken up for hearing, Mr.B.Muruganandam entered appearance for the fifth respondent.

5. Heard all the counsels.



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6. The learned Special Government Pleader states that two actions have been initiated by the Department pursuant to the orders set forth above. The first of these is that the Assistant Commissioner of H.R. & C.E., Sivagangai, has appointed the Executive Officer of Arulmigu Thiruvengkadamudaiyan Thirukovil, Ariyakudi, as Thakkar/Fit Person of the temple covered by this Writ Petition. The second action he points out is that the Assistant Commissioner has called for applications for the appointment of non-hereditary trustees for the subject temple, as directed by this Court.

7. The learned counsel for the fifth respondent states that the fifth respondent is not interfering with the administration of the temple, nor has he erected any board calling for donations for the temple.

8. As the fit person has been appointed and is in the administration of the subject temple, the apprehension of the petitioner that the fifth to seventh respondents are acting as non-hereditary trustees is unfounded.

9. In the light of the above discussions, recording the statement of the learned Special Government Pleader appearing for the H.R. & C.E.



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Department that the subject temple is now under the control of the

Executive Officer of Arulmigu Thiruvankadamudaiyan Thirukovil, Ariyakudi, and the statement of the learned counsel for the fifth respondent that the fifth to seventh respondents are not interfering with the administration of the temple, this Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

04.02.2025

Index: Yes/ No

Neutral Citation: Yes / No

Speaking Order / Non-Speaking Order

JEN

Copy To:

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V.LAKSHMINARAYANAN, J.

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