



W.P.(MD)No.13669 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.13669 of 2025

and

WMP (MD) No.9853 of 2025

1.Thiruvaduthurai Adheenam Thiruvaduthurai
Rep. by its Adheenakarhar
Sri-La-Sri Ambalavana Pandara Sannathi

2.Sri-La-Sri Subramania Pandara Sannathi of
Adheenakarhar of Sivagrahayogigal Mutt,
Suriyanar Koil, Thiruvidaimaruthur,
Thanjavur District.

: Petitioners

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowment,
Utamar Gandhi Road,
Nungambakkam,
Chennai 600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Mayiladuthurai.

3. The Assistant Commissioner,
O/o. Assistant Commissioner,
Hindu Religious and Charitable Endowment,
No.1, Aayikulam Road, Kumbakonam,
Thanjavur District.

: Respondents



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PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to hand over the keys of Sivagrahayogigal Mutt, Suriyanarkoil, Thiruvidadaimaruthur Taluk, Thanjavur District on or before 08.05.2025 to the performance of Guru Pooja on 11.05.2025 to the petitioners, by considering the representation of the 1st petitioner dated 17.11.2024 and 17.04.2025.

For Petitioners : Mr.K.Govindarajan
for Mr.R.Murali

For Respondents : Mr.K.S.Selva Ganesan
Additional Government Pleader

ORDER

The present writ petition has been filed seeking a direction to the respondents to hand over the keys of Sivagrahayogigal Mutt, Suriyanarkoil, Thiruvidadaimaruthur Taluk, Thanjavur District, to the petitioners on or before 08.05.2025 for the purpose of conducting the Guru Pooja on 11.05.2025, by considering the representations submitted by the first petitioner dated 17.11.2024 and 17.04.2025.

2. Heard, the learned counsel appearing for the petitioners, the learned Additional Government Pleader appearing for the respondents. By consent of both parties and also considering the limited



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relief sought for by the petitioner, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. When the matter was taken up for hearing today, the learned counsel for the petitioners submitted that the pontiff, namely Mahalinga Pandara Sannathi, who was appointed by the first petitioner Adheenakarhar, has since married a woman named Hemasree, left the Mutt. Subsequently, the said pontiff handed over the keys of the Mutt to the office of the second respondent, namely, the Hindu Religious and Charitable Endowments (HR & CE) Department. The learned counsel further submitted that the annual Guru Pooja of Sivagrahayogigal Mutt is traditionally celebrated in a grand manner within the Mutt premises. For the current year, the said festival is scheduled to be held on 11.05.2025. The grievance of the petitioners is that, since the keys to the Mutt are presently with the HR & CE Department, the annual Guru Pooja cannot be conducted in the Mutt premises unless the keys are handed over to one of the petitioners. In this regard, the petitioners submitted representations dated 17.11.2024 and 17.04.2025 to the respondents. However, as no action has been taken, the petitioners have now filed the present Writ Petition.

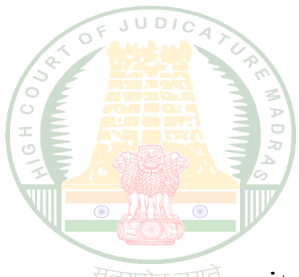


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4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representations dated 17.11.2024 and 17.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of one week from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own



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merits.
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6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

30.04.2025

Index : Yes / No

Internet : Yes / No

PKN

Note: Issue order copy today.

To

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VIVEK KUMAR SINGH, J.

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