



W.P.(MD) No.20354 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.20354 of 2025

Chandran

... Petitioner

/vs./

- 1.The Joint Commissioner,
HR & CE Department,
Sivagangai.
- 2.The Assistant Commissioner,
HR & CE Department,
Sivagangai District.
- 3.The Inspector,
HR & CE Department,
Manamadurai,
- 4.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai.
- 5.The Inspector of Police,
Poovanthi Police Station,
Poovanthi,
Sivagangai.



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6.Ramakrishnan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to grant the Mudhalkarai Mariyathai, honour to the petitioner as followed by earlier customary right based upon the petitioner's representation dated 17.07.2025.

For Petitioner : Mr.R.Senthil Kumar

For R1 to R3 : Mr.SS.Madhavan
Additional Government Pleader

For R4 & R5 : Mr.K.Sanjai Gandhi
Government Advocate (Crl.side)

ORDER

Mr.SS.Madhavan, learned Additional Government Pleader takes notice for the respondents 1 to 3 and Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.side) takes notice for the respondents 4 and 5.

2.The petitioner has approached this Court at the 11th hour in connection with the temple festival of Arulmigu Muthumariamman Temple, Vilathur Village, Manamadurai Taluk, Sivagangai District, which is scheduled to be held on 29.07.2025 for 'Mudhal Karai Mariyathai' ie., first honour.



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3.It is noticed that the 6th respondent had earlier filed a writ petition in W.P. (MD) No.17190 of 2023, wherein the petitioner herein was the 6th respondent. On 24.07.2023, this Court ordered as under:-

“4.Therefore, this Court is of the considered opinion that the 6th respondent shall be conferred with the “Mudhal Karai Mariyaathai” Honour for this year. The 1st respondent is directed to decide the issue within three months so that this issue will not arise for the next year festival.”

4.Subsequently, another writ petition was filed by the petitioner in W.P. (MD) No.19134 of 2024 for a similar honour for the temple festival on 31.07.2024. This Court, on 08.08.2024, had disposed of the said writ petition, recording the following submission of the learned Additional Government Pleader for the Official respondents.

“2.On instructions, it was submitted by the learned Additional Government Pleader for the official respondents that the practice followed during the previous year will be followed this year as well. The same was acceded to by the learned Counsel for the petitioner.

3.Recording the same, this writ petition stands closed. There shall be no order as to costs.”



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5.It is noticed that at the behest of the 6th respondent, namely, Ramakrishnan and another brother, by name, Muthanan, a petition under Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (*herein after referred to as Act*) has been filed, wherein the petitioner herein is the sole respondent.

6.This Court in W.P.(MD) No.17190 of 2023, vide order, dated 24.07.2023, had already granted three months time to decide the issue.

7.The application filed under Section 63(e) of the Act by the 6th respondent and by another brother, Muthanan, is still pending. The case appears to be regularly listed before the first respondent/the Joint Commissioner on every Monday and Thursday. However, the proceedings are still pending, as both the petitioner and the 6th respondent are not co-operating with the respondents and therefore, the time line prescribed, vide order, dated 24.07.2023, in W.P.(MD) No. 17190 of 2023 could not be maintained.



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8.Since the petitioner appears to be a brother of the 6th respondent and the said Muthanan, the practise followed till last date shall be followed this year as well.

9.The first respondent/the Joint Commissioner, HR & CE Department, Sivagangai District is directed to bring a closure of this proceedings irrespective of the co-operation or non-cooperation of the petitioner in O.A.No.8 of 2023 or on account of the co-operation or non-cooperation of the 6th respondent and the said Muthanan, within a period of six months from the date of receipt of a copy of this order. It is made clear that the rights for the first honour during the next temple festival will be in accordance with the orders to be passed in O.A.No.8 of 2023.

10.With the aforesaid directions, the Writ Petition stands disposed of. No costs.

Index : Yes / No
Internet : Yes / No
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To

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C.SARAVANAN, J.

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