

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2015

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.12410 of 2015

Dr.K.Jayagopal

.. Petitioner

Vs.

1.The Commissioner,
HR & CE Department,
Chennai-600 034.

2.The Joint Commissioner,
HR & CE Department,
Kottai Mariamman Koil Temple,
Salem-636 001.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to grant approval forthwith for the trustees for administrating Sri Ramalinga Sowdeeswari Amman Temple, Arisipalayam, Salem District as per the petitioner's representation dated 09.03.2015.

For Petitioner .. Mrs.R.Meenal

For Respondents .. Mr.P.Sanjay Gandhi
Additional Government Pleader

ORDER

Claiming approval for the trustees said to have been duly elected, the petitioner made representation on 09.03.2015. It is seen from the records of the Additional Government Pleader that the second respondent, in and by the proceedings Na.Ka.No.11650/2011/ A92/B2 dated 29.02.2012, has sent a report to the first respondent seeking clarification in appointing the trustees.

2. It is further to be seen that there are serious dispute between the members of the same community. A suit is also pending on the file of Subordinate Court, Salem, in O.S.No.294 of 2014 at the instance of the other parties, in which the petitioner is also arrayed as a defendant.

3. Considering the same, this Court cannot issue a positive direction. However, taking into consideration of the pendency of the representation dated 09.03.2015 and the clarification sought for by the second respondent, the first respondent is directed to consider and pass orders within a period of eight weeks from the date of receipt of a copy of this order. It is well open to the first respondent to hear the petitioner as well as any other third party.

4. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

raa

To

1.The Commissioner,
HR & CE Department,
Chennai-600 034.

2.The Joint Commissioner,
HR & CE Department,
Kottai Mariamman Koil Temple,
Salem-636 001.

1 cc to M/s.R. Meenal, Advocate, sr. 43758

1 cc to Spl.Government Pleader, (HR & CE) Sr.43600

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