

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.15805 of 2015

A / m Chennakesava Perumal Temple
Through Tamilarasan (Worshiper)
S/o.Saman, Setrapatti (PO),
Harur (Tk), Dharmapuri District.

...Petitioner

- Vs -

1. The Joint Commissioner HR & CE,
Salem.
2. The Inspector & Fit Person,
Sri Senna Kesava Perumal Temple,
Setrapatti Village,
Harur (TK),
Dharmapuri District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to appoint a non-hereditary trustee forthwith to the petitioner's temple viz., Chennakesava Perumal Temple in Setrapatti, Harur Taluk, Dharmapuri District, as per the order in O.A.No.28 of 2000 dated 08.04.2006 on the file of Joint Commissioner, HR & CE Administration, Salem.

Petitioner : Mr.V.Raghavachari

For Respondents : Mr.M.L.Mahendran, GA

ORDER

By consent, the writ petition itself is taken up for final disposal.

2. The petitioner claims that he has been appointed as a Non-Hereditary Trustee along with the others in respect of Chennaikesava

Perumal Temple at Setrapatti, Harur Taluk, Dharmapuri District. According to the petitioner, the order of the 1st respondent dated 08.04.2006 made in O.A.No.28 of 2000 has not so far been implemented. Now, the grievance of the petitioner is that though he approached the concerned authority in this regard, on many occasions, he has not been favoured with any submissions. Hence, the petitioner has come forward with this writ petition.

2. Heard Mr.V.Raghavachari, the learned counsel for the petitioner. According to the learned counsel for the petitioner when the aforesaid order has reached finality, it should be implemented by the 1st respondent in letter and spirit.

3. Per contra, Mr.M.L.Mahendran, the learned Government Advocate who accepts notice for the respondents would submit that the remedy available to the petitioner is to submit an application to the Assistant Commissioner, HR & CE, Salem, seeking to implement the order dated 08.04.2006 made in O.A.No.28 of 2000.

4. This court, taking into consideration of the above facts and circumstances, permits the petitioner to submit an application to the jurisdictional Assistant Commissioner, HR & CE Department, within a period of two weeks from the date of receipt of a copy of this order seeking to implement the order dated 08.04.2006 made in O.A.No.28 of 2000 and the said official on receipt of the same, is directed to consider the same in accordance with law and pass appropriate orders within a period of four weeks thereafter and to communicate the decision taken, to the petitioner.

6. This writ petition is, accordingly, disposed of. Consequently, connected MP is closed.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

kmk

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To

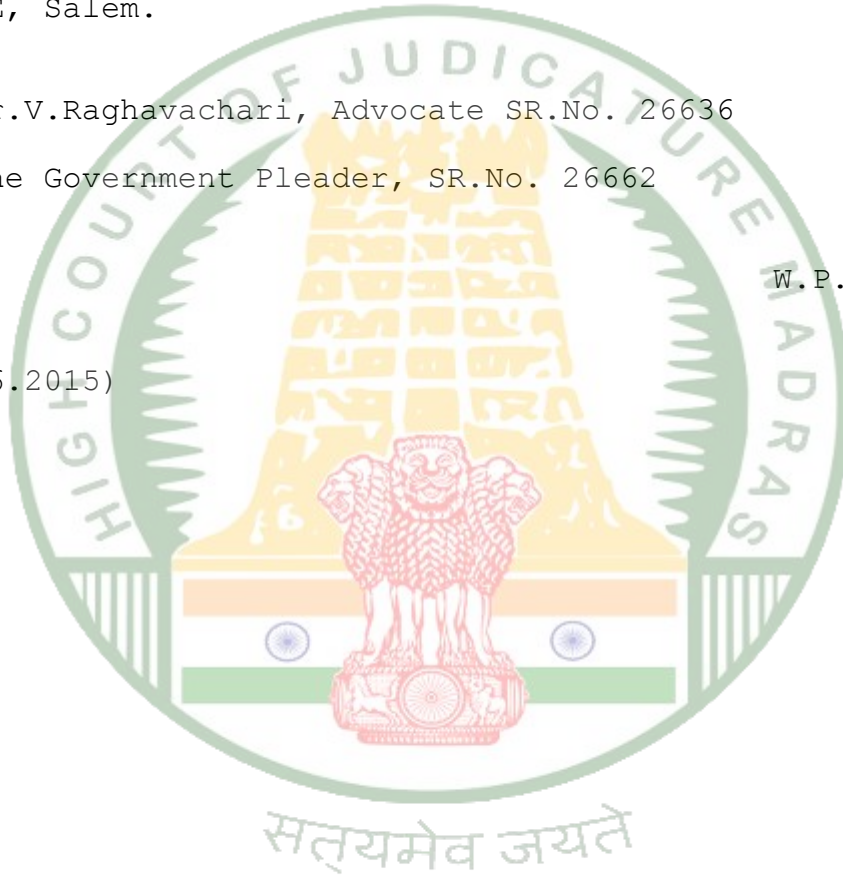
1. The Joint Commissioner HR & CE,
Salem.
2. The Inspector & Fit Person,
Sri Senna Kesava Perumal Temple,
Setrapatti Village,
Harur (TK), Dharmapuri District.
3. The Assistant Commissioner,
HR & CE, Salem.

1 CC to Mr.V.Raghavachari, Advocate SR.No. 26636

1 CC to the Government Pleader, SR.No. 26662

W.P.No.15805 of 2015

MSM (CO)
PSI (19.06.2015)



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