

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.26439 of 2014
and M.P.No.1 of 2014

AL.AR.K.VR.Chinna Veerappan
]

[Petitioner

Vs

The Commissioner
Hindu Religious and Charitable Endowment Department
Nungambakkam Chennai - 600 034

[Respondent]

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent herein to consider the representation dated 08.09.2014 of the petitioner and pass orders in accordance with law within a stipulated time.

For Petitioner : Mr.C.Umashankar
For Respondent : Mr.S.Kandasamy,
Special Government Pleader
(HRE-CE)

ORDER

Heard Mr.C.Umashankar, learned counsel for the petitioner and Mr.S.Kandasamy, learned Special Government Pleader for the respondent.

2. The petitioner has filed this writ petition seeking for a direction to consider his representation dated 08.09.2014.

3. In the said representation, the petitioner virtually seeks for amendment or alteration of the scheme decree which has been passed for the administration of Sri Arulmighu Ramanathaswamy Temple, Rameswaram.

4. In this writ petition, the hereditary trustees who are holding office have not been impleaded as party respondents. It is seen that the petitioner has filed an application before the Joint Commissioner, Hindu Religious and Charitable Endowment Department, Sivagangai, under Section 64 (5) of the Hindu Religious and

Charitable Endowment Act (hereinafter referred to as "the Act") to declare him as hereditary trustee. The said application has been returned by the Joint Commissioner by stating that there is no provision for alteration of the scheme.

5. In the light of the above facts, question of directing the respondent to consider the representation of the petitioner does not arise. Since already there is a scheme decree in operation, the petitioner has to necessarily work out his remedies under the provisions of the Act.

With the above observation, the writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Commissioner
Hindu Religious and Charitable Endowment Department
Nungambakkam Chennai - 600 034

+ 1 cc to Mr.C. Umashankar, Advocate SR.12119

WP.No.26439 of 2014

VGI (CO)
EU 17.03.2015

सत्यमेव जयते

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