

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.10.2015

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. No.31880 of 2015

S.Ganapathi

...Petitioner

-vs-

1. The Government of Tamil Nadu,
Through its Chief Secretary,
Secretariat Buildings,
Fort St. George, Chennai.
2. The Government of Tamil Nadu,
Through its Revenue Secretary,
Secretariat Buildings,
Fort St. George,
3. The Commissioner,
Dept. of Urban Land Ceiling
and Urban Land Tax, Chepauk,
Chennai.
4. M.A.C.Charities
Through its Managing Trustee.

...Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the 3rd respondent to conduct a detailed enquiry into the petitioner complaint dated 18.3.2015 in light of the communication Letter No.19243/ULC-III(1) 2015-1 dated 16.06.2015 of the 2nd respondent within a time frame that may be fixed by this Court and consequently issue necessary directions to respondents 1 to 3 to consider in passing a comprehensive Legislation in regulating the Public Charitable Trusts functioning within the state of Tamil Nadu.

For Petitioner : Mrs.Chitra Sampath, S.C.
For Mr.A.Tamilvanan

For Respondents : Mr.S.T.S.Murthy,
Govt. Pleader, assisted by
Mr.V.R.Kamalanathan, Addl.G.P.
for RR 1 to 3

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

It is the case of the petitioner that the State Government ought to have an enactment on a similar pattern as the Bombay Public Trust Act, 1950, for administering Public Trusts, as Section 92 of the Code of Civil Procedure does not suffice by itself. It is alleged that in the present scenario, it is difficult to battle the maladministration and irregularities in the management of the Public Trusts.

2.Learned Senior Counsel for the petitioner fairly concedes that this Court cannot pass a legislation and thus, the only direction she seeks is for the State Government to examine the aspect of enacting such a legislation.

3.We, thus, call upon the respondents to look into the matter and take a decision in this behalf, to be duly communicated to the petitioner, within a period of three months of the receipt of this order.

4.Writ Petition stands accordingly disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

sra

WEB COPY

To

1. The Chief Secretary to Govt. of Tamil Nadu,
Secretariat Buildings,
Fort St. George, Chennai.
2. The Revenue Secretary to Govt. of Tamil Nadu,
Secretariat Buildings,
Fort St. George, Chennai.
3. The Commissioner,
Dept. of Urban Land Ceiling
and Urban Land Tax, Chepauk, Chennai.

1 CC to Mr.A.Tamilvanan, Advocate SR.No. 54830

1 CC to the Government Pleader, SR.No. 54937

W.P.No.31880 of 2015

CA (CO)
PSI (17.11.2015)



WEB COPY