

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.6141 of 2015

K.Manickam

... Petitioner

vs.

The Joint Commissioner,
H.R. & C.E. Department,
Coimbatore

... Respondent

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent herein to number the petitioner's application dated 11.09.2014 filed before the respondent herein expeditiously.

For Petitioner : Mr.V.P.Karthikeyan
For Respondent : Mr.M.L.Mahendran
Government Advocate

ORDER

Heard Mr.V.P.Karthikeyan, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate appearing for the respondent. With the consent of either side, the writ petition itself is taken up for final disposal at the admission stage.

2. The petitioner seeks for direction upon the respondent to number the petitioner's application dated 11.09.2014 filed under Section 63(b) of the Tamilnadu H.R. and C.E.Act 22 of 1959.

3. The petitioner would submit that the temple namely, Angalamman Temple was founded by his father, namely, Krishna Gounder for the welfare of the descendants and also for the people, who belong to OthaalaKulam a sub-sect of Kongu Vellala Community. The petitioner would further state that he and his brother succeeded his father and they have become hereditary trustees. Under their supervision, kumbabishekam was performed in the year 2013 out of their own funds. It is also stated that the petitioner and his brother have been maintaining the temple and performing the daily poojas. Now, the petitioner has submitted an application along with his brother to declare themselves as hereditary trustees of the said temple. The

application has been preferred before the respondent, till date the same has not numbered, therefore, the petitioner has filed this petition, with the aforementioned prayer.

4.The learned Government Advocate would submit that if the application is in order and maintainable, the same will be considered in accordance with law.

5.In the light of the above facts, there will be a direction to the respondent to consider the application filed by the petitioner under Section 63(b) of the Tamilnadu H.R. and C.E.Act 22 of 1959 and if the application is in order and maintainable, the respondent shall hear the petitioner and pass appropriate orders within a period of three months from the date of receipt of copy of a order. In the event, the respondent is of the opinion that the application is either not maintainable or not in order, appropriate orders shall be passed communicating the same to the petitioner within a period of three weeks from the date of receipt of copy of the order.

6. With the above observation, this Writ Petition is disposed of . No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssd
To

The Joint Commissioner,
H.R.& C.E. Department,
Coimbatore.

1 cc to Mr.V.P.Karthikeyan ,Advocate, SR.No.13340

1 cc to Spl.Government Pleader,Sr.No.12613

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pmk.20.3.2015

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