

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.1471 of 2016

1.P.Kuppusamy
2.A.Shanmugam
3.G.Kannan
4.A.Muthu
5.M.Ardhanari

... Petitioners

Vs

The Joint Commissioner,
Hindu Religious & Charitable
Endowment Department,
Salem -1.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to take up the unnumbered O.A filed on 01.09.2015 on the file of the respondent and dispose of the same within a period fixed by this Court.

For Petitioners

: Mr.G.Sumitra

For Respondent

: Mr.P.Sanjay Gandhi,
Additional Government Pleader

सत्यमेव जयते
O R D E R

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

2.The petitioners have filed the present writ petition seeking a direction to the respondent to take up the unnumbered OA filed by them on 01.09.2015 on the file of the respondent and dispose of the same within the time limit fixed by this court.

3.According to the petitioners, they are the trustees of a temple by name Arulmighu Atthanur Amman Temple, Thiruchengode Taluk, Namakkal District and are performing poojas to its deity. The said temple was granted inam lands and was also granted ryotwari patta by the proceedings of the Settlement Tahsildar dated 12.01.1967 in SR.No.456/M.I.Act. While so, one K.A.Raja

Gounder filed OA. No.52 of 1993 for framing of scheme for the administration of the temple in the year 1993. Accordingly, a scheme was framed by order dated 30.03.2006 passed by the Joint Commissioner, HR & CE Department, Salem, without notice to the petitioners. However, dispute arose between the parties relating to the management and administration of the temple. Therefore, the petitioners filed an application on 01.09.2015 to the respondent seeking modification of the scheme framed vide order dated 30.03.2006 made in OA.No.52/1993 and the same is yet to be numbered and taken on record by the respondent. Hence, the petitioners are before this Court.

4.Heard Mrs.G.Sumitra, learned counsel for the petitioners and Mr.P.Sanjay Gandhi, learned Additional Government Pleader, who took notice for the respondent.

5.Considering the facts and circumstances of the case, this Court is inclined to direct the respondent to number the OA filed by the petitioners on 01.09.2015, if it is otherwise in order and take it on file and dispose of the same, on merits and in accordance with law, after providing due opportunity of personal hearing to all the parties, within a period of 12 weeks from the date of receipt of a copy of this order.

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

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

rk

To

The Joint Commissioner,
Hindu Religious & Charitable
Endowment Department, Salem -1.

1 cc to Mrs.G. Sumitra, Advocate, sr. 2471
1 cc to Government Pleader, Sr. 2509

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