

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.15057 of 2016

Tmt.D.S.Ayyammal

.. Petitioner

vs.

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

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondent herein to number the application dated 03.02.2015, filed by the petitioner before the respondent herein and dispose the same expeditiously.

For Petitioner : Mr.V.P.K.Gowtham

For Respondents : Mr.K.V.Dhanapalan, AGP(HR & CE)

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the respondent to number the application dated 03.02.2015, filed by her and dispose of the same as expeditiously as possible.

2. According to the petitioner, one Arulmighu Marimman and Kariakaliyamman Temple is situated at Vellankoil, Veppampalayam Post, Gobichettipalayam Taluk, Erode District. The respondent by order dated 10.08.1993 made in RCMP.No.8/92, declared the trusteeship of the said temple, by appointing the petitioner's mother Chellammal and two others as hereditary trustees. Accordingly, the said Chellammal managed the affairs of the temple in question in such capacity till her death ie., on 30.06.2007. Thereafter, the petitioner being the only daughter of the said Chellammal, is entitled to become the hereditary trustee and to manage and look after the affairs of the temple in question. Hence, she filed an application dated 03.02.2015 under section 54(1) of the Tamil Nadu Hindu Religious and Charitable Endowment Act, to the respondent, praying to record and recognize her as the hereditary trustee of the temple

and the same is pending without even being numbered. Therefore, the petitioner has filed the present writ petition for the above stated relief.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleader, who took notice for the respondents.

4. Considering the facts and circumstances of the case, this Court directs the respondent to dispose of the petitioner's application dated 03.02.2015, by affording an opportunity of personal hearing to the petitioner as well as to all the necessary parties, if any and pass appropriate orders. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

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

+1cc to Mr.V.P.K. Gowtham, Advocate, S.R.No.25348
+1cc to the Government Pleader, S.R.No.25644

UG(CO)
EU(30/05/2016)

W.P.No.15057 of 2016