

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-06-2016

Coram

THE HON'BLE MR. JUSTICE B. RAJENDRAN

Writ Petition No.19304 of 2016

M.Bharathi Muthu

.. Petitioner

Vs.

1. The Joint Commissioner of
Hindu Religious and Endowment Board
Kottai Mariamman Koil Compound
Salem.

2. The Executive Officer
Arulmigu Nanchundeswarar Thirukoil
Idappadi Post and Taluk
Salem District.

.. Respondents

Writ Petition filed under Article 226 of the constitution of India to issue a writ of mandamus to direct the first respondent to pass appropriate orders on the petitioner's representation dated 21.12.2015.

For Petitioner : R.Marudhachalamurthy

For Respondents : Mrs.Rita Chandrasekaran
Special Government Pleader
(HR & CE)

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. The prayer in the writ petition is for the issuance of a writ of mandamus to direct the first respondent to consider the petitioner's representation dated 21.12.2015 and pass appropriate orders on the same.

3. The case of the petitioner in brief is as follows:

In the Arulmighu Nanchundeswarar Thirukoil situated in the petitioner's village, viz., Idappadi the temple priests are appointed by way of selection through the Committee called

"Sivandiyar Kootam". Accordingly, one Velayutham was appointed as the priest of the said temple. Subsequently, he attained superannuation. However, the respondents without following the due procedure had appointed one Saminathan as the successor to the said retired priest. Therefore, the preferred a complaint to the first respondent dated 21.12.2015, since no action was taken on the said complaint/representation, the petitioner is before this Court.

4. The learned counsel for the petitioner would submit that the petitioner would be satisfied, if a direction is issued to the first respondent to consider and disposed of his representation/complaint dated 21.12.2015 within a time that may be stipulated by this Court.

5. Mrs.Rita Chandrasekaran, the learned Special Government Pleader appearing on behalf of the respondent -HR & CE Department would submit that the respondent has got no objection, for such course of action.

6. Taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the appointment of preist in the second respondent temple, the first respondent is directed to consider and dispose of the representation dated 21.12.2015 submitted by the petitioner and pass appropriate orders on the same within a period of two months from the date of receipt of a copy of this order. It is needless to state that the respondent shall pass orders independently, depending upon the facts and circumstances of the case.

7. With the above direction, this writ petition is disposed of. No costs.

vj2

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Joint Commissioner of
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Kottai Mariamman Koil Compound
Salem.

2. The Executive Officer
Arulmigu Nanchundeswarar Thirukoil
Idappadi Post and Taluk
Salem District.

+ 1 cc to M/s.R.Marudhachalamurthy Advocate SR 30869

+ 1 cc to Govt.Pleader SR 30769

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