

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.25548 of 2016
and
WMP.No.21892 of 2016

S.V.Palanisamy

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowment
(Admn.) Department,
Nungambakkam, Chennai-600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment
(Admn.) Department,
Coimbatore.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowment
(Admn.) Department,
Coimbatore.
4. S.N.B.Ganesh
5. A.Vasudevan
6. R.Govindaraj
7. S.P.Saravanan

8. R.Venugopal ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the third respondent to appoint a Fit Person for the temple, namely Arulmighu Ayyappan Thirukoil, Sundakamuthur, Perur Taluk, Coimbatore District.

For Petitioner : M/s.S.Sithirai Anandam

For Respondents : Mr.K.V.Dhanapalan
Additional Govt. Pleader (HR&CE)
for R1 to R3

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner, claims to be one of the permanent trustees of the Arulmighu Iyyappan Thirukoil, Sundakamuthur, aggrieved by the misdeeds of the respondents 4 to 8, had submitted a representation/petition to the third respondent for taking over the management of the temple and appoint a Fit Person and the Inspector, HR&CE Department, Coimbatore has sent a communication to the Village Administrative Officer, Sundakamuthur in O.Mu.No.34/2016 dated 04.04.2016 calling for particulars as to the measurement of the temple immovable property as well as Chitta and Adangal. The further grievance expressed by the petitioner is that pending disposal of the representation submitted by the petitioner to the third respondent, the private respondents started collecting donations unauthorizedly on the alleged pretext of conducting temple festival and started using the same for their own benefits and in this regard, he has also submitted a representation dated 20.06.2016 to the Hon'ble Chief Minister Grievance Cell and since no response is forthcoming, came forward to file this writ petition.

3. Heard the submissions of Mr.Sithirai Anandam, learned counsel appearing for the petitioner and Mr.K.V.Dhanapalan, learned Additional Government Pleader (HR&CE), who accepts notice on behalf of the respondents 1 to 3 and would submit that as and when the required particulars are received from the jurisdictional Village Administrative Officer, further and necessary steps will be taken on the representation submitted by the petitioner to take over the management of the temple and to appoint a Fit Person.

4. This Court has considered the rival submissions and also perused the materials placed before it.

5. Though the petitioner has prayed for larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the third respondent to consider and dispose of the petitioner's representation 11.12.2015, after putting on notice the respondents 4 to 8 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as the private respondents 4 to 8.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

jvm

To

1. The Commissioner,
Hindu Religious and Charitable Endowment
(Admn.) Department,
Nungambakkam,
Chennai-600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment
(Admn.) Department,
Coimbatore.
3. The Assistant Commissioner,
Hindu Religious and Charitable Endowment
(Admn.) Department,
Coimbatore.

+lcc to Mr.S.Sithirai Anandan, Advocate, S.R.No.41874
+lcc to the Government Pleader, S.R.No.42076

सत्यमेव जयते

W.P.No.25548 of 2016

VGI (CO)
CA(05/08/2016)

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