

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28079 of 2016

And

W.M.P.No.24234 of 2016

A.Ravi

... Petitioner

Vs.

1. Hindu Religious and Charitable Endowments Board
Rep. by its Commissioner
Nungambakkam High Road
Chennai 600 034.
2. The Joint Commissioner
Hindu Religious and Charitable Endowments Board
Nungambakkam High Road
Chennai 600 034.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowments Board
Nungambakkam High Road
Chennai 600 034.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider and pass order on the representation of the petitioner dated 31.10.2015 in proceedings OM No.57681/2015/A1 dated 23.11.2015 on the file of the 1st respondent herein and recall the Fit person / Executive officer of Sri Paripurana Vinayagar Temple at No.21/45, Paripoorna Vinayagar Koil Street, Mylapore, Chennai-600 004.

For Petitioner : Mr.S.Sadasharam

For Respondents : Mr.M.Maharaja
Special Government Pleader
(HR & CE)

O R D E R

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

2.The petitioner would state that Sri Paripurana Vinayagar Temple at No.21/45, Paripoorna Vinayagar Koil Street, Mylapore, Chennai - 600 004 was built and consecrated even prior to the year 1906, by the ancestors of Madurai Muthu Mudaliar, who is his maternal grandfather and it is a private family Temple. The petitioner would further state that contrary to law, a Fit Person came to be appointed in respect of the said Temple and he is also acting against the interest of the said Temple and in this regard, representations dated 31.10.2015 and 30.01.2016 have been submitted to the respondents 1 and 3 and since no orders have been passed, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that the representation submitted to the first respondent was forwarded to the second respondent vide communication of the first respondent, dated 23.11.2015 in O.Mu.No.57681/2015/A1 and therefore, the second respondent may be directed to pass appropriate orders.

4.This Court also heard the submissions of Mr.M.Maharaja, learned Special Government Pleader (HR & CE) who accepts notice on behalf of the respondents.

5.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the second respondent to act on the communication of the first respondent dated 23.11.2015, in O.Mu.No.57681/2015/A1, in accordance with law and pass orders on the petitioner's representations dated 31.10.2015 and 30.01.2016, 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.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

pri

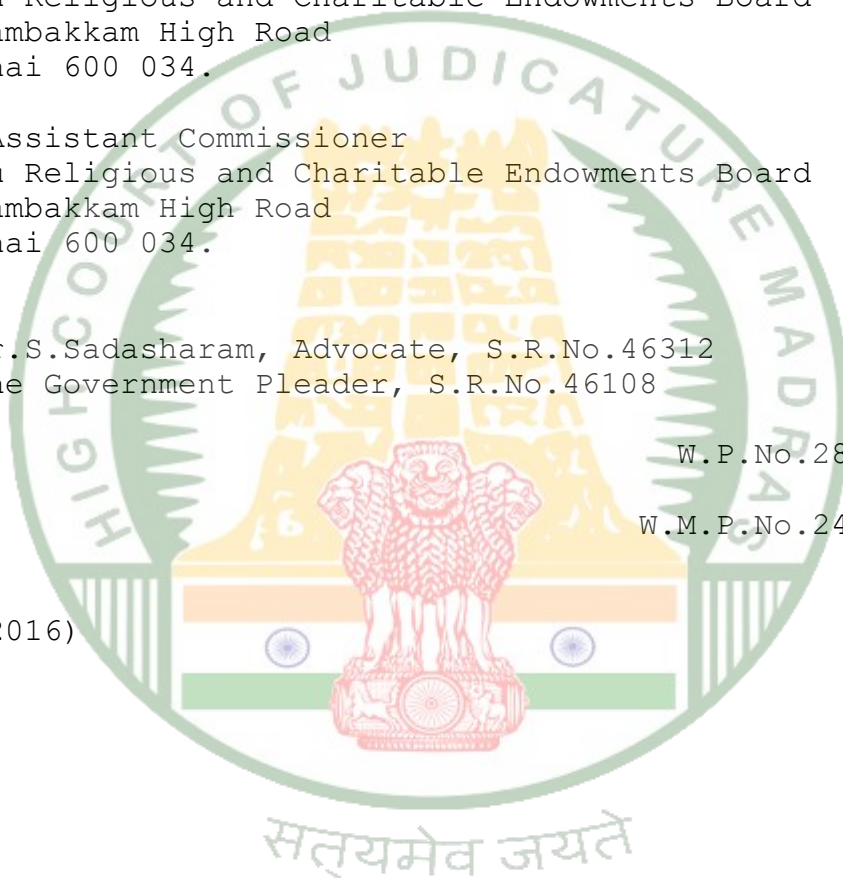
To

1. The Commissioner
Hindu Religious and Charitable Endowments Board
Nungambakkam High Road
Chennai 600 034.
2. The Joint Commissioner
Hindu Religious and Charitable Endowments Board
Nungambakkam High Road
Chennai 600 034.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowments Board
Nungambakkam High Road
Chennai 600 034.

+1cc to Mr.S.Sadasharam, Advocate, S.R.No.46312
+1cc to the Government Pleader, S.R.No.46108

W.P.No.28079 of 2016
And
W.M.P.No.24234 of 2016

PUR (CO)
CA(18/08/2016)



WEB COPY