

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.09.2016

CORAM

The Honourable MR. JUSTICE M.SATHYANARAYANAN

W.P.No.30740 of 2016

S.Tamilselvan

... Petitioner

Vs

1. The Commissioner,
HR & CE Department,
Nungambakkam, Chennai 34.

2. The Joint Commissioner,
HR & CE Department,
Nungambakkam, Chennai 34.

3. The Assistant Commissioner,
HR & CE Department,
Nungambakkam, Chennai 34.

4. The Inspector, Zone-3,
HR & CE Department,
Nungambakkam, Chennai 34.

5. The Executive Officer,
Arulmighu Kandasami and
Adhi Mottaiamman Temple,
Kospet, Chennai 12.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the 2nd respondent to consider the Petitioner's representation dated 05.09.2014 and further direct the 2nd respondent to appoint the Petitioner as hereditary trustee of the Arulmighu Kandasami and Mottaiamman temple, Kosapet, Chennai 12, and register the same in the records of the respondents.

For Petitioner : Mr.A.Gouthaman

For RR 1 to 4 : Mr.M.Maharaja,
Special Government Pleader

ORDER

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

2. The petitioner has submitted an application dated 05.09.2014 under Section 54 (1) of the Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959, to declare him as the Hereditary Trustee of Arulmighu Kandasami and Adhi Mottiamman temple situated in Kuyapettai, Chennai-12 and the rival claimants, viz., Tmt. Narayani ; Tvl.Arivudainambi and Saravanan had also submitted similar applications on 19.09.2014 ; 11.09.2014 and 22.09.2014 respectively and despite very many hearings took place, no final orders have been passed and hence, the petitioner came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.M.Maharaja, learned Special Government Pleader [HR&CE], who accepts notice on behalf of the respondents 1 to 4.

4. Though the petitioner has 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 conclude the enquiry after putting notice on the person/s concerned and pass orders in accordance with law 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 to the person/s concerned.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

jv

To

1. The Commissioner,
HR & CE Department,
Nungambakkam, Chennai 34.

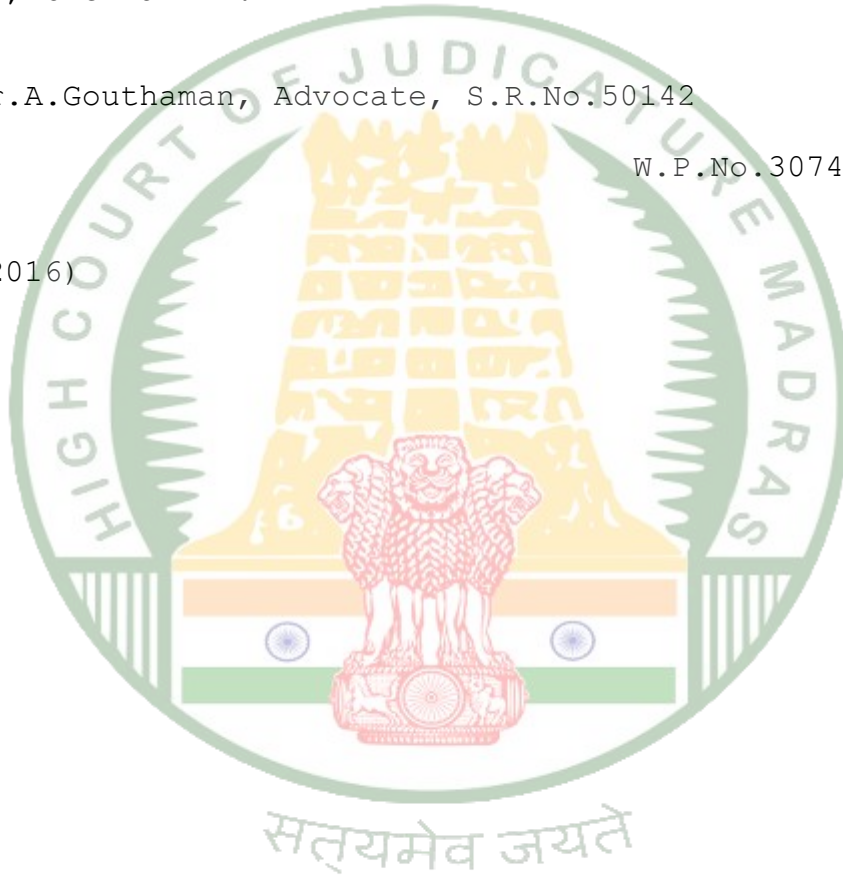
2. The Joint Commissioner,
HR & CE Department,
Nungambakkam, Chennai 34.

3. The Assistant Commissioner,
HR & CE Department,
Nungambakkam, Chennai 34.
4. The Inspector, Zone-3,
HR & CE Department,
Nungambakkam, Chennai 34.
5. The Executive Officer,
Arulmighu Kandasami & Adhi Mottaiamman Temple,
Kospet, Chennai 12.

+1cc to Mr.A.Gouthaman, Advocate, S.R.No.50142

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RSY(CO)
CA(16/09/2016)



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