

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.12.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.42858 of 2016

A.K.Selvadurai

.. Petitioner

Versus

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
RTO Office Road, Sathuvachari,
Vellore 632 009.

3.V.Karunanidhi ... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 19.10.2016 by affording an opportunity of hearing to the persons concerned and pass appropriate orders thereon, on merits and in accordance with law, within a time stipulated.

For Petitioner : Mr.S.V.Sugumar

For Respondents : Mr.S.Rajeswaran
Spl.Govt.Pleader

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O R D E R

By consent, the Writ Petition is taken up for disposal at the stage of admission itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the petitioner's representation dated 19.10.2016 by affording an opportunity of hearing to the persons concerned and pass

appropriate orders, on merits and in accordance with law, within a time stipulated.

3. According to the petitioner, he belongs to Karuneegar Community and conducted a magazine called "Chitraguptan". The Chitragupthaswamy Temple is managed by Karuneegar Community people at Kancheepuram Town. In the said temple vacant space measuring to an extent of 1800 sq.ft. was lying in the back side. The Secretary of the Kancheepuram Arulmighu Chitraguptar Narpani Kuzhu has expressed willingness to the Executive Officer of the said temple to build a Mandapam at his own cost in the vacant place. The Junior Engineer of the Hindu Religious and Charitable Endowments submitted the estimation value of Rs.9,65,000/- for construction of the same. The Board of Trustees of the said temple through the resolution dated 10.11.2010 and he has given permission for construction of the Mandapam. The second respondent was directed the third respondent not to collect any money for the construction. But the third respondent had printed tickets and collected a sum of Rs.15,00,000/- from the general public and he also deposited the said amount with the Indian Overseas bank, Kumarakottam Branch, Kancheepuram. In this connection, no accounts were maintained and submitted before the competent authorities. Therefore, the petitioner has submitted a representation dated 19.10.2016 to the respondents 1 and 2 for misappropriation of funds. But, till date, they have not considered the representation of the petitioner. Hence the petitioner has filed the present Writ Petition.

4. Mr.S.Raajeswaran, learned Special Government Pleader takes notice for the respondents and would submit that the request of the petitioner will be considered in accordance with law.

5. Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the respondents 1 and 2, to consider the representation of the petitioner dated 19.10.2016, after giving due notice to the concerned parties and pass appropriate orders, on merits and in accordance with law as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of the order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

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6.The Writ Petition is disposed of accordingly. No costs.

kkd

Sd/-
Assistant Registrar
/TRUE COPY/

Sub-Assistant Registrar

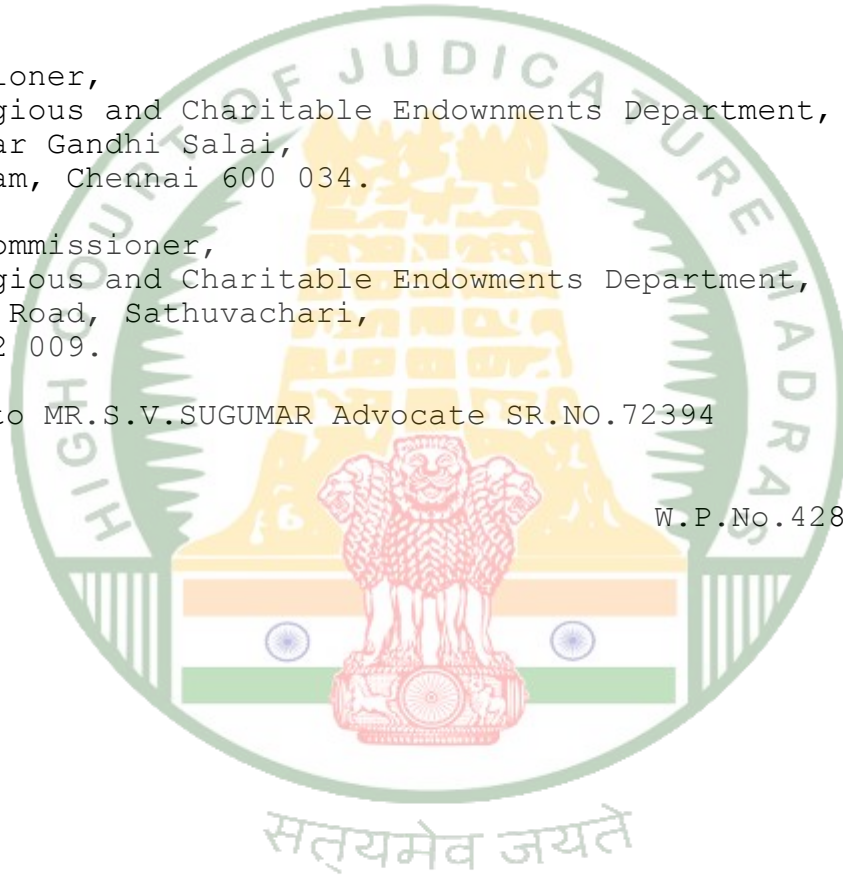
To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
RTO Office Road, Sathuvachari,
Vellore 632 009.

+1CC to MR.S.V.SUGUMAR Advocate SR.NO.72394

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VG[CO]
MK:11/01/2017



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