

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.12.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.43137 of 2016

N.G.Gopalasamy

.. Petitioner

Versus

1.The Commissioner,
Hindu Religion and Charitable Endowment,
Nungambakkam, Chennai 600 034.

2.The Joint Commissioner,
Hindu Religion and Charitable Endowment,
Nungambakkam, Chennai 600 034.

3.The Executive Officer,
Hindu Religion and Charitable Endowment,
Arulmighu Karkodi Amman Thirukovil,
Nungambakkam, Chennai 600 034.

4.N.G.Rajendran ... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to dispose of petitioner's representation dated 23.11.2016 in accordance with law.

For Petitioner : Ms.R.Vinu Priyanga

For R1 to R3 : M.Maharaja
Spl.Govt.Pleader (HR & CE)

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus directing the 3rd respondent to dispose of petitioner's representation dated 23.11.2016 in accordance with law.

2. According to the petitioner, his elder brother/fourth respondent was working as Chief Priest (Poosari) at Arulmighu Karkodi Amman Thirukoil. After he obtained his age of superannuation (60 years) on 30.11.2015, the petitioner was informed about his retirement through a letter of the third

respondent by name Sakthivel dated 18.03.2016 in Na.Ka.No.49/2016, on the same day at about 3.00 p.m. and an order was passed directing the fourth respondent to hand over his charges to the petitioner. The third respondent has already issued notice to the petitioner as per letter dated 18.3.2016, but he had taken charge on 27.06.2016 and performing his duties till date without executing the order properly by the third respondent. In this regard, the third respondent approached the fourth respondent in person and requested him to surrender the key of the temple. But the 4th respondent had abused and restrained the third respondent to serve his duty and threatened by unlawful manner. The 4th respondent had already attained the age of 60 years and was also terminated from the post of Chief Priest (Poosari) and he did not hand over the key to the third respondent and the third respondent has failed to comply his duty to receive the key from the 4th respondent. Therefore, the petitioner had given a representation dated 23.11.2016 to the respondents 1 to 3, but the third respondent has not considered the same, till date. Hence, the petitioner filed the present writ petition.

3. Ms.R.Vinu Priyanga, learned counsel appearing for the petitioner would submit that the petitioner would be satisfied, if his representation is directed to be considered and appropriate orders are passed as expeditiously as possible.

4. Taking note of the submissions made by the learned counsel for the petitioner, this Court, without going into the merits of the claim made by the petitioner, directs the third respondent, to consider the representation of the petitioner dated 23.11.2016, 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.

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

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

kkd

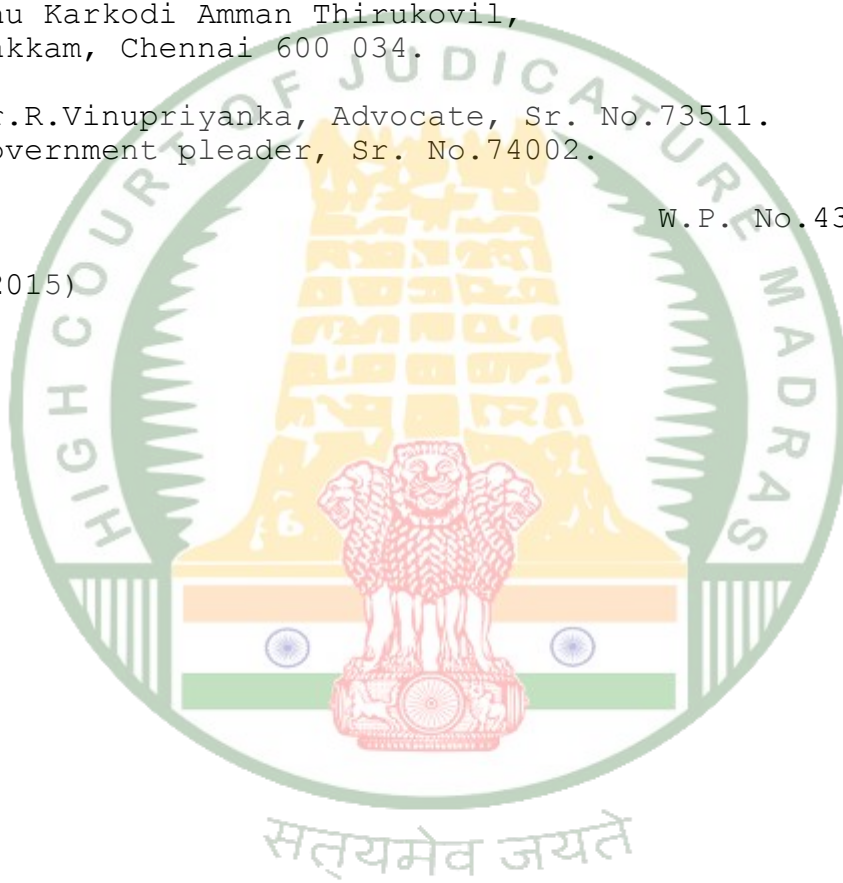
To

- 1.The Commissioner,
Hindu Religion and Charitable Endowment,
Nungambakkam, Chennai 600 034.
- 2.The Joint Commissioner,
Hindu Religion and Chairtable Endownment,
Nungambakkam, Chennai 600 034.
- 3.The Executive Officer,
Hindu Religion and Charitable Endownment,
Arulmighu Karkodi Amman Thirukovil,
Nungambakkam, Chennai 600 034.

+1cc to Mr.R.Vinupriyanka, Advocate, Sr. No.73511.
+1cc to Government pleader, Sr. No.74002.

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AK(CO)
GN(20/01/2015)



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