



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 20.07.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.12747 of 2016

C.Subbiah Poosari

..Petitioner

Vs

1.The Commissioner,
Hindu Religious and Charitable Endowment
(Admn.) Department, Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment
(Admn.) Department Office,
No.40, Muthusamy Nagar,
Sivagangai,
Sivagangai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents to consider the Petitioner's representation and to regulate the administration and payment of remuneration to Poosaries-Schedule of the Temple on the basis of his representation dated 22.1.2016 within the time to be fixed by this Court.

For Petitioner :M/s.S.Muthukumar
For Respondents :Mr.V.Muruganandam
Addl.Govt.Pleader

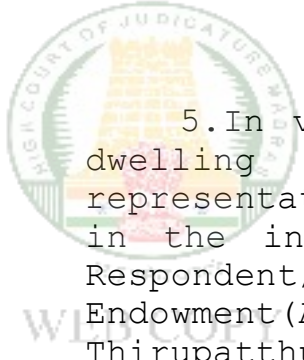
ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.No counter is filed on behalf of the Respondent.

4.It is the case of the Petitioner that his representation, dated 22.1.2016 addressed to the Second Respondent and another representation, dated 28.6.2016 addressed to the First Respondent are pending as on date, without any progress or disposal in the subject matter in issue. Therefore the Petitioner has filed the present Writ Petition before this Court.



5. In view of the above, this Court, at this stage, without dwelling deep into the merits and contents of the two representations of the Petitioner, dated 22.1.2016 and 28.6.2016, in the interest of justice and fair play, directs the Second Respondent/The Joint Commissioner, Hindu Religious and Charitable Endowment (Admn.) Department Office, No.40, Muthusamy Nagar, Thirupattur Road, Sivagangai, Sivagangai District to immediately to look into the two representations of the Petitioner, dated 22.1.2016 and 28.6.2016 within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the Second Respondent is to pass a reasoned speaking order on merits in a fair, free and with an open minded fashion (of course after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true letter and spirit) within a period of four weeks thereafter. In case, if the Second Respondent opines that the Petitioner is to file appropriate/necessary Original Application under the relevant provisions of the Tamil Nadu HR & CE Act, 1959, the Petitioner may be advised in this regard. Thereafter, it is open to the Petitioner to follow the instructions/directions given by the Second Respondent and to proceed further in the manner known to Law and in accordance with Law, if he so desires/advised.

6. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar ((CS-II))

/True Copy/

Sub Assistant Registrar

vsn

To

1. The Commissioner, Hindu Religious and Charitable Endowment
(Admn.) Department, Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment
(Admn.) Department Office, No.40, Muthusamy Nagar,
Sivagangai, Sivagangai District.

+1CC to Mr.S.Muthukumar, Advocate Sr.No.38160

+1CC to Spl.Government Pleader Sr.No.38410

GJM/PEK/27.7.16-2p-5c

W.P (MD) No.12747 of 2016
20.07.2016