



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE V. BHARATHIDASAN

Writ Petition (MD) No. 22804 of 2016

and

W.M.P (MD) Nos. 16313 & 16314 of 2016

R.Sharmila Bai

... Petitioner

Vs.

1.The Principal Secretary to Government,
Hindu Religious and Charitable
Endowments Department,
Secretariat, Chennai.

2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
No.117, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.

3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.

4.K.Ruba Bai

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to conduct an enquiry on the basis of the petitioner's representation, dated 20.02.2016 relating to mismanagement of the Arulmighu Mavoothu Uthayagirinathaswamy Temple by the fourth respondent and to appoint a fit person to manage the Arulmigu Mavoothu Uthayagirinathaswamy Temple situated at Kottaiyur Village, Krishnapuram, Srivilliputhur Taluk, Viruthunagar District.

For Petitioner : Mr.V.Thirumal

For RR 1 to 3

: Mr.V.Muruganandham

Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 to 3. Since no order prejudicial to the interest of the fourth respondent is going to be passed, notice to the fourth respondent is dispensed with.

2. According to the petitioner, the present hereditary trustees of the above said Temple are mismanaging the administration and causing loss to the Temple. In the said circumstances, he made a representation to the first respondent to take action against the hereditary trustees. Since no order has been passed on the petitioner's representation, dated 20.02.2016, the petitioner has filed the present Writ Petition.

3. Today, the learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the above said representation was forwarded to the Joint Commissioner, Sivagangai, who is the third respondent herein and in turn, the third respondent directed the Assistant Commissioner, Hindu Religious and Charitable Endowments Department, Virudhunagar to conduct enquiry with the hereditary trustees and to submit the report. Now the enquiry is pending with the third respondent.

4. Considering the above said fact, since the enquiry is pending with the third respondent, the third respondent is directed to complete the enquiry and pass suitable orders, after giving opportunity of hearing to the petitioner and also to the hereditary trustees, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are also closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Hindu Religious and Charitable
Endowments Department,
Secretariat, Chennai.

2. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
No.117, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.



3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.

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+1 cc to M/s.V.Thirumal, Advocate in SR.No.74278
+1 cc to The Special Government Pleader in SR.No.78103

PS

CSL/PV/20.12.2016 :3P/6C

W.P (MD) No.22804 of 2016
30.11.2016