

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2017

CORAM

THE HONOURABLE MR. **JUSTICE M.DURAI SWAMY**

W.P.No.21056 of 2017

D.R.Ashok Kumar

.... Petitioner

Vs

1.The Commissioner,
Hindu Religious & Charitable Endowments,
Mahatma Gandhi Road, Nungambakkam,
Chennai-600 034.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowments,
Mahatma Gandhi Road, Nungambakkam,
Chennai-600 034.

3.Mr.M.Sakthivel,
Executive Officer,
Arulmigu Akilandeswari Udanurai
Agatheeswarar Thirukoil,
No.11, North Mada Street,
Nungambakkam Chennai-600 034.

.... Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of Writ of Mandamus to direct respondents 1 and 2 to conduct a thorough enquiry against the third respondent for misappropriation of temple funds and for failure to render accounts in respect of the representation made by the petitioner dated 11.07.2017.

For Petitioner : Mr.S.Mohan

For Respondents : Mr.M.Maharaja,
Special Government Pleader for R1 & R2

ORDER

Mr.M.Maharaja, learned Special Government Pleader, takes notice for respondents 1 and 2. By consent, the main writ petition itself is taken up for disposal at the admission stage.

2. The petitioner has filed the above writ petition to issue a writ of mandamus directing respondents 1 and 2 to conduct a thorough enquiry against the third respondent for misappropriation of the temple funds and for failure to render accounts in respect of the representation made by the petitioner dated 11.07.2017.

3. The learned counsel appearing for the petitioner submitted that the petitioner has made a complaint on 11.07.2017 before respondents 1 and 2 as against the third respondent for misappropriation of the temple funds and for failure to render accounts. However, the respondents have not passed any order so far on the complaint.

4. Mr.M.Maharaja, learned Special Government Pleader appearing for respondents 1 and 2, submitted that the petitioner is a

practicing Advocate and is in occupation of the temple land and that the petitioner has not paid the rent to the third respondent and is in arrears of more than Rs.2 lakhs towards the rent to the third respondent. Further, the learned Special Government Pleader submitted that when this was questioned by the third respondent, the petitioner has lodged a complaint before respondents 1 and 2.

5. Since the petitioner has made allegations against the third respondent in respect of misappropriation of the temple fund and rendition of accounts, I direct the second respondent to consider the petitioner's representation dated 11.07.2017 and pass orders in accordance with law, after conducting thorough enquiry and giving opportunity to the petitioner as well as the third respondent, within a period of eight weeks from the date of receipt of a copy of this order.

With the above observation, the writ petition is disposed of. No costs.

Index: Yes/No

raa

To

08.08.2017

M.DURAISWAMY,J.

raa

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