

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12-12-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.30519 of 2015

And

W.M.P.No.33765 of 2016

A.B.Shanmugam .. Petitioner

-vs-

1.The Commissioner,
Hindu Religious and Charitable Endowment Board,
Chennai-600 034.

2.The Assistant Commissioner,
HR&EC Board,
Vellore-9.

3.The Commissioner,
RTI Act Appellate Commission,
Teynampet,
Chennai-18.

4.A.R.Sankar .. Respondents

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 dispose of the representation dated 24.7.2015.

For Petitioner - Mr.A.Arokiadoss

For Respondents-1 & 2 - Mr.M.Maha Raja,
Special Government Pleader.
HR & CE

For Respondent-3 - Mr.Niranjan Rajagopal for
M/s.G.R.Associates.

For Respondent-4 - Mr.A.Gunasekaran

ORDER

The relief sought for in this writ petition is for a direction to direct the first respondent to dispose of the representation submitted by the writ petitioner on 24.7.2015.

2. The grievance of the writ petitioner is that the lands belonging to Ramakrishna Bajanai Madam situate at Koorabadi village in Arcot, was sold by the fourth respondent unauthorisedly, without obtaining appropriate permission either from the Trust or from the Competent Authorities of the Hindu Religious and Charitable Endowments Department.

3. The learned Special Government Pleader, appearing on behalf of the respondents 1 and 2, states that it is private Trust and the activities of the Trust, are no way connected with the HR & CE Department.

4. However, the learned counsel appearing on behalf of the writ petitioner, states that the temple owns certain lands and the same are under the control of the HR & CE Department. Such being the factor, the facts relating to the ownership, are to be verified and a decision has to be taken by the Department in this regard.

5. Under these circumstances, without going into the merits of the matter, the second respondent is directed to consider the representation submitted by the writ petitioner on 24.7.2015 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and all related documents, along with the order passed in this writ petition.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Commissioner,
Hindu Religious and Charitable Endowment Board,
Chennai-600 034.

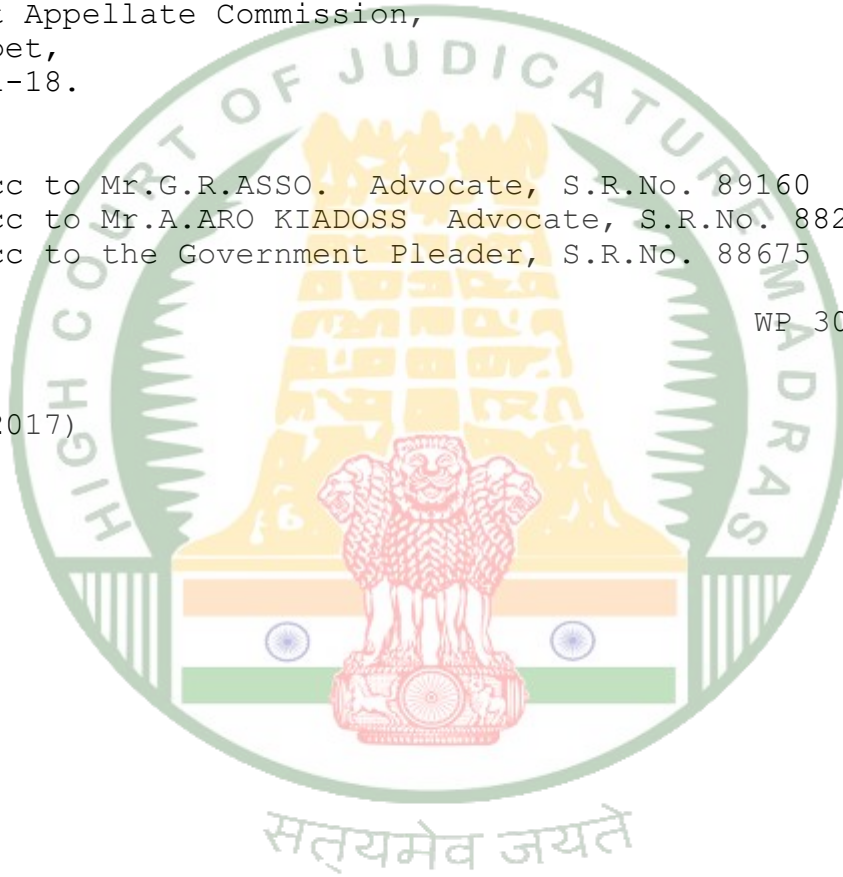
2.The Assistant Commissioner,
HR&EC Board,
Vellore-9.

3.The Commissioner,
RTI Act Appellate Commission,
Teynampet,
Chennai-18.

+1cc to Mr.G.R.ASSO. Advocate, S.R.No. 89160
+2cc to Mr.A.ARO KIADOSS Advocate, S.R.No. 88230
+1cc to the Government Pleader, S.R.No. 88675

WP 30519 of 2015

KAN (CO)
TR (22/12/2017)



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