

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.18466 of 2017

Ramesh

... Petitioner

Vs.

1. The Commissioner,
HR & CE., Nungambakkam,
Chennai.
2. The Joint Commissioner,
HR & CE., Salem.
3. The Executive Officer,
Sri Asaladeepeshwar Temple,
Mohanur, Namakkal.
4. Fit Person/Thakkar,
Sri Asaladeepeshwar Temple,
Mohanur, Namakkal.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to prohibit and prevent the said Umapathy Archakar and the members of the said "Asaladeepeshwarar Aanmeeka Paripalana Sabha" from mis-using the "Name and resources" of the 4th respondent temple by collecting donation from general public at large without the prior written sanction, approval and permission of the respondents.

For Petitioner : Mr.B.Jagannath

For Respondents : Mr.M.Maharaja,
Special Government Pleader (HR & CE)
(R1 to 3)

Mr.Ramaswamy Meyyappan (R4)

O R D E R

Mr.M.Maharaja, learned Special Government Pleader takes notice for the respondents 1 to 3 and Mr.Ramaswamy Meyyappan, learned counsel takes notice for 4th respondent. By consent, the writ petition is taken up for disposal in the admission stage itself.

2. The petitioner has filed the above Writ Petition to issue a writ of mandamus to direct the respondents to prohibit and prevent the said Umapathy Archakar and the members of the said "Asaladeepeshwarar Aanmeeka Paripalana Sabha" from mis-using the "Name and resources" of the 4th respondent temple by collecting donation from general public at large without the prior written sanction, approval and permission of the respondents.

3. The learned counsel for the petitioner submitted that it would be suffice to direct the 3rd respondent to consider the petitioner's representation dated 15.05.2017 and pass orders in accordance with law.

4. Mr.M.Maharaja, learned Special Government Pleader appearing for the respondents 1 to 3 submitted that the 3rd respondent may be directed to consider the petitioner's representation and pass orders in accordance with law, after giving notice to all the interested parties.

5. Having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 3rd respondent to consider the petitioner's representation dated 15.05.2017 and pass orders in accordance with law, after giving notice to all the interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

6. With these observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

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Sub Assistant Registrar

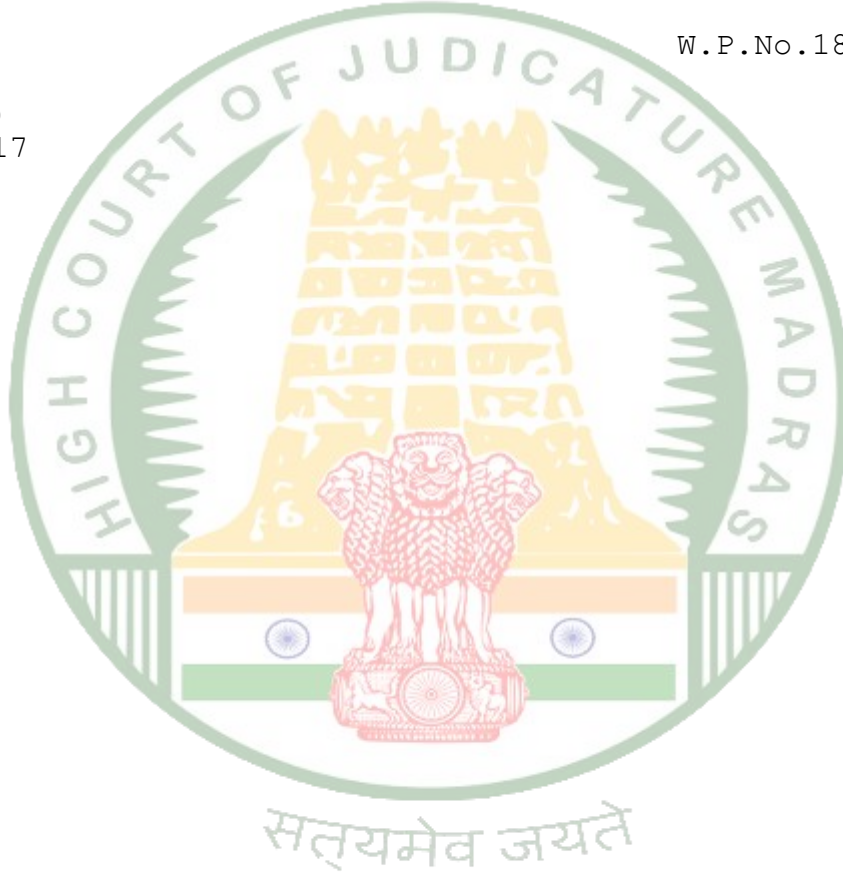
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To

1. The Commissioner,
HR & CE., Nungambakkam, Chennai.
 2. The Joint Commissioner, HR & CE., Salem.
 3. The Executive Officer,
Sri Asaladeepeshwar Temple, Mohanur, Namakkal.
- +2cc to Mr.B.Jagannath, Advocate, S.R.No.50817

W.P.No.18466 of 2017

AR(CS-III)
CS/31/07/17



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