

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.5917 of 2004

T.A.Sethupathiramalingam

... Petitioner

Vs.

1) The Joint Commissioner,
Hindu Religious & Charitable
Endowments (Admin) Department,
Salem 636 004.

2) The Executive Officer,
Arulmighu Nallakumarasamy Temple,
Koothampoondi Village,
Tiruchengode Taluk,
Namakkal District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari, to call for the connected records of the first respondent dated 14.02.2003 in his proceedings R.O.C.13469/2002-2 A2, appointing the second respondent the Executive Officer of Arulmigu Nallakumarasamy temple, Kootampoondi, Tiruchengode Taluk, Namakkal District as a Fit person for Arulmighu Periya Omkaliasman temple at Tiruchengode, Town and Taluk, Namakkal District and quash the same.

For Petitioner : Ms.Sumithra for M/s.Jayaraman &
P.Madhan

For Respondents : Mr.M.Maharaja for R1
Special Government Prosecutor
Mr.W.C.Thiruvengadam for R2

ORDER

It is represented by the petitioner that he has filed O.A.No.* 13 of 2004 before the first respondent, Joint

Commissioner under Section 64(1) of the H.R. & C.E. Act and the same is not tested for. The petitioner submitted that a direction may be given to the Authorities to dispose of the same, as the Authorities will have to decide about the office before coming to any decision. It is submitted by the petitioner that a direction may be issued to the first respondent, Joint Commissioner in O.A.No.13 of 2004 by taking into consideration the grounds raised by the parties in the writ petition. The Joint Commissioner shall decide upon O.A.No.13 of 2004 within a period of two months from the date of first appearance before the Authority on 28.08.2017 and enquiry to be conducted on a day-to-day basis, without adjourning the matter beyond two working days. The present status as on date to continue till 30.10.2017. With this direction, the Writ Petition is disposed of.

2.If the Authority fails to pass orders before 30.10.2017, Government can initiate departmental action against the Joint Commissioner as this matter is of the year 2004. If the petitioner fails to appear / co-operate with the proceedings, the same can be recorded and order be passed and the petitioner cannot question the said order later, for want of opportunity. No costs.

Sd/-

Assistant Registrar(CS V)

Dated:01/11/2017

*Amended/Corrected as
per Order dated 01.11.2017

Sd/-

Assistant Registrar(CS III)

Dated:06/11/2017

//True Copy//

Sub Assistant Registrar

sts

To:

- 1) The Joint Commissioner,
Hindu Religious & Charitable
Endowments (Admin) Department,
Salem 636 004.

To be substituted to the
Order already despatched
on 03.10.2017

2) The Executive Officer,
Arulmighu Nallakumarasamy Temple,
Koothampoondi Village,
Tiruchengode Taluk,
Namakkal District.

+1cc to Mr.K.Jayaraman, Advocate, S.R.No.51172

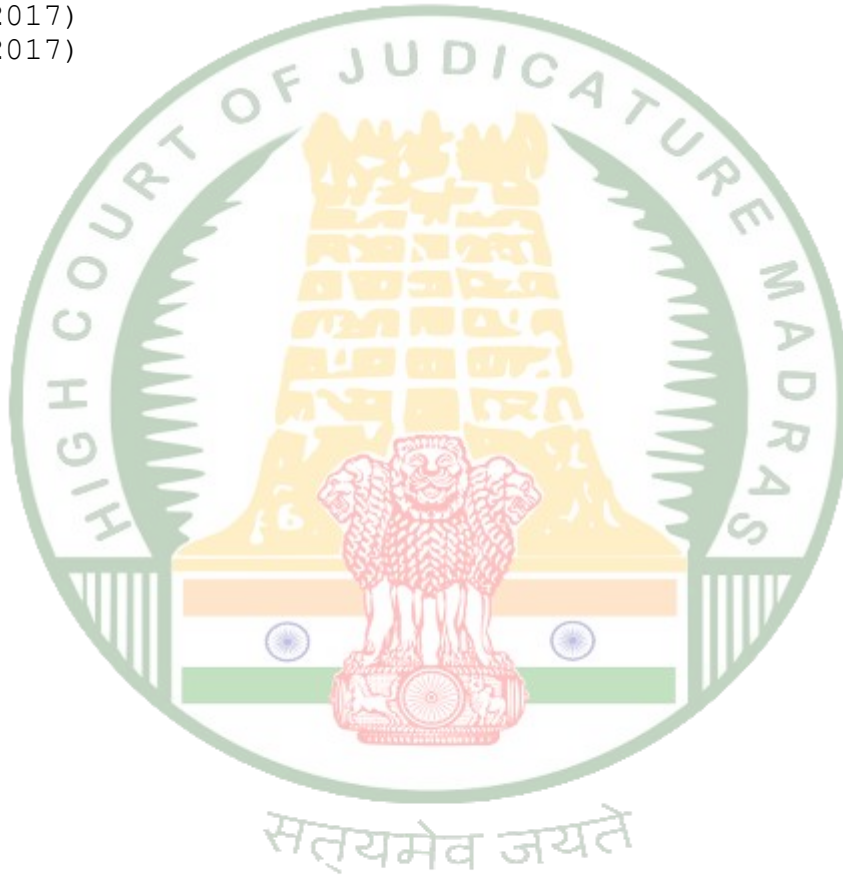
+1cc to Mr.K.Jayaraman, Advocate, SR.No.77451

W.P.No.5917 of 2004

CS V

CA(05/09/2017)

GN(06/11/2017)



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