

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.35428 of 2016

and W.M.P.No.30493 of 2016

D.Rajendran

... Petitioner

Vs

1.The District Collector,
O/o The District Collector,
Thiruvallur District.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Thiruvallur District.

3.The Superintendent of Police,
Thiruvallur District.

4.Mr.Kandasamy

5.Mr.Shanmugam

6.Mr.Palani

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to dispose the representation sent by the petitioner dated 17.08.2016 and consequently directing the 2nd respondent to pass orders to take over the administration of the Arulmigu Poondi Mariamman Thiru Koil at Poondi Panchayath, Thiruvallur District.

For Petitioner : Dr.S.Manoharan

For Respondents : Mr.S.Rajeswaran,

Special Government Pleader

[R1 & R3]

: Mr.M.Maharaja,

Special Government Pleader [R2].

O R D E R

The petitioner would state he is a devotee of Arulmigu Poondi Mariamman Thiru Koil, sitaute at Poondi Village, Thiruvallur Taluk, Thiruvallur District. He would further state that funds have been collected by respondents 4 to 6 from the public for conducting festival of the said temple . However, they have not issued any receipts to the public for collecting

the amounts and they have misappropriated the funds. He would further submit that the respondents 4 to 6 were also constructing houses in the lands of the temple. In this regard, the petitioner has submitted a detailed representation to the respondents and since no orders have been passed, the petitioner filed a Writ petition before this Court in W.P.No.18408 of 2016. This Court, vide order dated 25.06.2015, directed the respondents to consider and dispose of the petitioner's representation within a period of four weeks from the date of receipt of a copy of the order. Since no action has been taken, the petitioner has filed a Contempt Petition and the same was closed by this Court vide order dated 14.12.2015, as per the instructions given by the Assistant Commissioner of Hindu religious and Charitable Endowments Department, Thiruvallur that necessary action will be taken to bring the temples within the ambit of HR & CE Department. However, no action has been taken by the respondents in this regard. Therefore, once again, the petitioner has submitted a detailed representation on 17.08.2016, on behalf of the Village people to the respondents 1 to 3 to take action against the respondents 4 to 6 and also to take over the administration of the above said temple. Since, no response is forthcoming, the petitioner has come forward to file this Writ Petition.

2. Heard the submission of Mr.S.Rajeswaran, learned Special Government Pleader appearing for respondents 1 and 3 and Mr.M.Maharaja, learned Special Government Pleader appearing for the third respondent.

3. This Court, considering the facts and circumstances of this case, directs the respondents 1 to 3 to consider the representation of the petitioner dated 17.08.2016, after putting on notice to the respondents 4 to 6 and pass orders in accordance with law within a period of three months from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vsm

To

1.The District Collector,
O/o The District Collector,
Thiruvallur District.

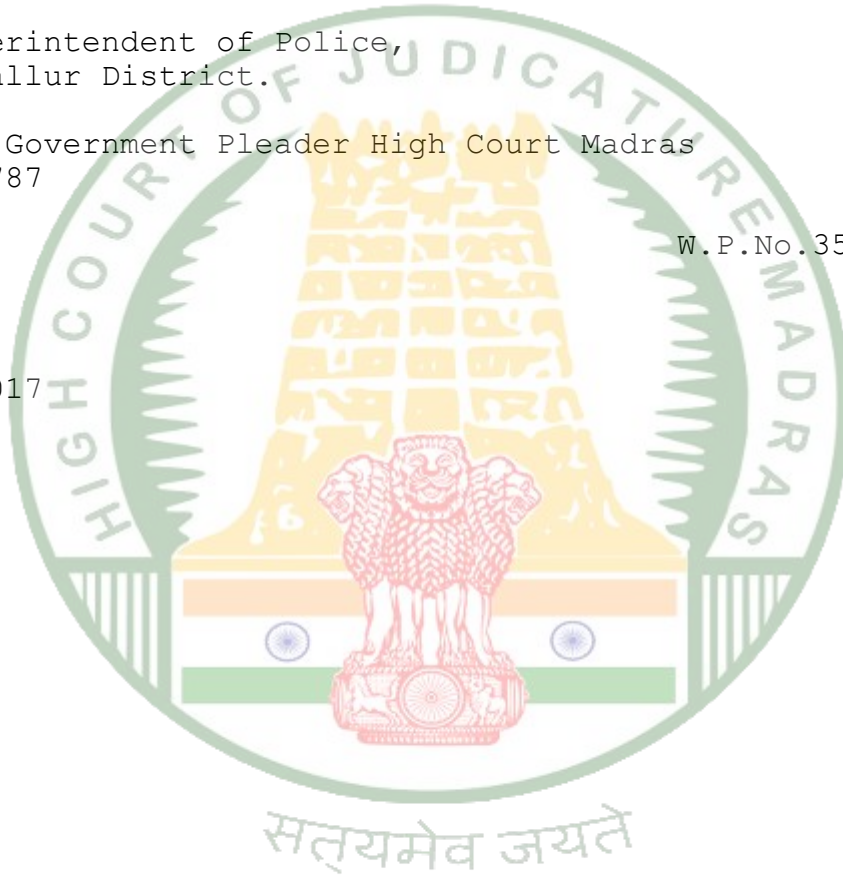
2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Thiruvallur District.

3.The Superintendent of Police,
Thiruvallur District.

+2 ccs to Government Pleader High Court Madras
sr 218 & 787

W.P.No.35428 of 2016

pk(co)
aa01/02/2017



WEB COPY