



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2017

CORAM:

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No. 16899 of 2017

and

W.M.P (MD) No. 13466 of 2017

Thulasi Dhas

... Petitioner

Vs.

1. The District Collector,
Kanyakumari District.

2. The Commissioner
Hindu Religious and Charitable Endowment,
Nungambakkam,
Chennai - 600 034.

3. Assistant Commissioner
Hindu Religious and Charitable Endowment,
Tirunelveli.

4. The Joint Commissioner
Hindu Religious and Charitable Endowment,
Sucindram,
Kanyakumari District.

5. The Inspector of Police,
Colachel Police Station,
Kanyakumari District.

6. The Srikariam
Arulmigu Sinkankavu Dharmasastha Kovil
Sinkankavu,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 5 herein to conduct statutory enquiry into the income and expenditure accounts of the temple viz., Arulmigu Sinkankavu Temple, Kanyakumari District and initiate action against the private association preventing the worshiping and collecting donation and fee for poojas of the temple on the light of the Section 116(2) of the Hindu Religious and Charitable Endowment Administration Rules.



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For Petitioner : Mr.A.Rajkumar Sen

For Respondents : Mr.M.Alagathevan - R1 to R3 & R5
Special Government Pleader
: Mr.M. Saravanan - R4
Standing Counsel

O R D E R

This writ petition has been filed, seeking to direct the respondents 1 to 5 herein to conduct statutory enquiry into the income and expenditure accounts of the temple viz., Arulmigu Sinkankavu Temple, Kanyakumari District and initiate action against the private association headed by the sixth respondent for collecting donation and fee for poojas of the temple unauthorizedly.

2. Mr.M.Alagathevan, learned Special Government Pleader, takes notice for the respondents 1 to 3 and 5. Mr.B.Saravanan, learned Standing Counsel, takes notice for the fourth respondent. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard the learned counsel on either side.

4. It is the case of the petitioner that he had submitted periodical representations, the last one of which was dated 22.08.2017 to the respondents, with regard to misappropriation of temple funds by third parties and pursuant to the inaction on the part of the respondents, the present writ petition has been filed for the relief as stated supra.

5. Though the petitioner has sought for the larger relief as above, the learned Counsel for the petitioner would submit that it would suffice, if the representation dated 22.08.2017 submitted by the petitioner may be directed to be considered by the respondents 1 to 5.

6. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, the fourth respondent is directed to consider the representation of the petitioner dated 22.08.2017 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as the sixth respondent within a period of six weeks from the date of receipt of a copy of this order.



7. The writ petition is disposed of as above. No costs. Consequently connected miscellaneous petitions are closed.

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/True Copy/

Sd/-

Assistant Registrar(CSI)

Sub-Assistant Registrar

To:

- 1.The District Collector,
Kanyakumari District.
- 2.The Commissioner
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Chennai - 600 034.
- 3.Assistant Commissioner
Hindu Religious and Charitable Endowment,
Tirunelveli.
- 4.The Joint Commissioner
Hindu Religious and Charitable Endowment,
Sucindram,
Kanyakumari District.
- 5.The Inspector of Police,
Colachel Police Station,
Kanyakumari District.

+One cc to Mr.A.Rajkumarasen, Advocate, SR.No.77059

+One cc to Mr.M.Saravanan, Advocate, SR.No.77393

rm/ar

RL/8C/3P/KK/SAR1/1/9/2017

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