



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.23218 of 2017

K.Madasamy Thevar

... Petitioner

-vs-

The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Virudhunagar District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 28.10.2013, within the stipulated period.

For Petitioner : Mr.K.Rajeshwaran

For Respondent : Mr.M.Alagathevan
Spl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondent to consider the petitioner's representation dated 28.10.2013.

2. Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondent. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner is that he had submitted a representation dated 28.10.2013 to the Commissioner and the Joint Commissioner, HR&CE Department for taking action against one Rajaram and Saravanan, working in the Temple, who, on the pretext of remitting monthly rent to the Temple so as to enable the petitioner to continue as lessee in the dry land of the Temple, have collected Rs.20,000/- from him and subsequently, they have neither remitted the amount nor issued any receipt thereof. In the said representation, the petitioner also requested the authorities to fix the lease amount for the said land. Though the said representation has been duly forwarded to the respondent herein on



06.11.2015, no action has been taken so far on the same by the respondent. Aggrieved by the same, the petitioner is before this Court with the above prayer.

4. The learned Special Government Pleader appearing for the respondent would submit that if a reasonable time is granted to the respondent, the representation of the petitioner will be considered and appropriate orders be passed.

5. Considering the facts and circumstances of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondent to consider the representation dated 28.10.2013 of the petitioner on the basis of the proceedings dated 06.11.2015 of the Commissioner, HR&CE and pass necessary orders thereon on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any.

6. With the above direction, this petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To:

The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Virudhunagar District.

+ 1 cc TO Mr.K.Rajeshwaran , Advocate in SR No. 93537
+ 1 cc TO The Special Government Pleader in SR No. 93727

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AE/SV MMS/SAR2/05.01.2018/2P/4C

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