

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.30892 of 2013 &
M.P.No.1 of 2013

1.V.Govindasamy
2.N.Kuppusamy
3.S.Kandhan

.. Petitioners

Vs.

1.The Joint Commissioner,
Hindu Religious Charitable and
Endowment Department, Salem.

2.P.Mani
3.A.Jothi Ramalingam
4.M.Shanmugam Poosari
5.M.Palanisamy
6.T.S.Govindan
7.T.S.Thangavel Possari
8.T.A.Sethupathi Ramalingam
9.T.S.Madhavakrishnan
10.T.S.Arthaneeswarar
11.T.S.Balamuralikrishnan
12.D.Saraswathi Devarajan

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to entertain and decide the impleading petition in O.A.No.25 of 2005, dated 11.09.2013 filed by the petitioners on representation on merits in with law.

For Petitioners : Mr.N.Manokaran

For Respondents : Mr.Maharaja
Special Government Pleader
(HR & CE) for R1

Mr.P.Valliappan for R2 to R7

Mr.M.Devaraj for R8 to R11

R12 - Deceased

O R D E R

Heard Mr.N.Manokaran, learned counsel for the petitioner; Mr.Maharaja, learned Special Government Pleader (HR & CE) for the first respondent; Mr.P.Valliappan, learned counsel for the respondents 2 to 7; Mr.M.Devaraj, learned counsel for the respondents 8 to 11 and perused the records.

2. The petitioner challenges the order of the first respondent passed in the impleading application filed in O.A.N.25 of 2005. The respondents 2 to 7 filed O.A.No.25 of 2005 before the first respondent under Section 64(i) of Tamil Nadu Hindu Religious and Charitable Endowments Act for framing a Scheme.

3. It is not in dispute that the Arulmighu Periya Om Kaliyamman Temple was established by the prominent members of Trading Communities belonging to four clans of Hindu Community. After the enquiry in the Original Application was concluded, the petitioner, who is admittedly a worshipper of the Temple filed the Application for impleading.

4. The first respondent, taking note of the fact of the pendency of the Original Application in O.A.No.25 of 2005, for more than 8 years and the enquiry was conducted on 19.11.2008, returned the application of the petitioner filed in the year 2013. Hence, I do not find any merit in the Writ Petition, warranting interference of the order of the first respondent.

5. Considering the fact that the Original Application in O.A.No.25 of 2005 is pending for more than 13 years, the first respondent is directed to pass orders on the Original Application, as expeditiously as possible, preferably, within a period of one month from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is dismissed. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS V)

//True copy//

Sub Assistant Registrar

r n s

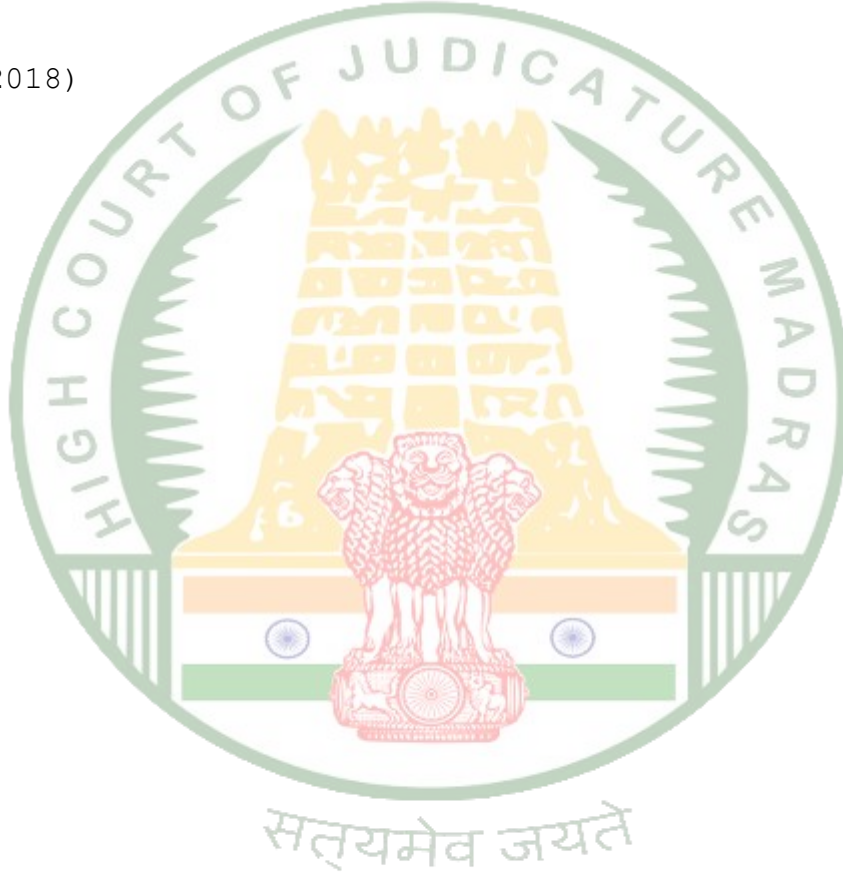
To

The Joint Commissioner,
Hindu Religious Charitable and
Endowment Department, Salem.

+1cc to Mr.N.Manokaran, Advocate SR.No.20246
+1cc to Mr.P.Valliappan, Advocate SR.No.20529
+1cc to Government Pleader SR.No.20572

W.P. No.30892 of 2013 &
M.P.No.1 of 2013

SKS (CO)
GN(10/04/2018)



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