



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Writ Petition (MD) No.3162 of 2018andW.M.P(MD)No.3328 of 2018

G.Vignesh

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthama Gandhi Salai, Nungambakkam,
Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thiruvanaikaval, Trichy.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Thiruvanaikaval, Trichy.

4.The Executive Officer,
Arulmigu Ponnar Sangar Thirukovil,
Valanadu, having office at
Arulmigu Mariamman Thirukovil,
Manapparai, Trichy.

5.Chandrasekaran

6.A.Varatharajan

7.K.Seetharaman

8.C.Mangaiyarkarasi

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 4 to conduct enquiry and take appropriate action as per the Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959 against the 5th respondent for the misappropriation of Arulmigu Ponnar Sankar Thirukovil, Valanadu, temple fund and acting against the temple interest, recover the misappropriated funds in the name of Arulmigu Ponnar Sankar Thirukovil from the fifth respondent based on the representation dated 01.02.2018 and 12.02.2018 of the petitioner.

For Petitioner

: Mr.K.Balasubramani

For Respondents 1-4

: Mr.Aayiram K.Selvakumar,

Additional Government Pleader.

ORDER

Heard Mr.K.Balasubramani, learned counsel for the petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader appearing for the respondents 1 to 4. Notice to the respondents 5 to 8 is dispensed with in view of the nature of the order to be passed by this Court.

2.This writ petition has been filed seeking direction to the respondents 1 to 4 to conduct enquiry and take appropriate action against the fifth respondent for the misappropriation of Arulmigu Ponnar Sankar Thirukovil, Valanadu temple fund and to recover the misappropriated funds from the fifth respondent by considering the representations of the petitioner dated 01.02.2018 and 12.02.2018.

3.According to the petitioner, the petitioner is a poojari of Arulmigu Ponnar Sankar Thirukovil, Valanadu, Marungapuri Taluk, Trichy District. The fifth respondent who is a trustee of the temple has created a private trust in which the respondents 6 to 8 are the trustees and he has collected money in the name of the temple but it has been spent for the private trust created by him. Hence, the petitioner has submitted a representation dated 12.02.2018. Since no order has been passed, the present writ petition has been filed.

4.Learned Additional Government Pleader appearing for the respondents 1 to 4 would fairly submitted that the representation of the petitioner will be considered and appropriate orders will be passed within the time stipulated by this Court.

5.Considering the facts and circumstances of the case, the second respondent is directed to consider the representation of the petitioner dated 12.02.2018 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner as well as to the respondents 5 to 8.

6.With the above direction, the writ petition is disposed of. No costs. Consequently, W.M.P(MD)No.3328 of 2018 is closed.

Sd/-

Assistant Registrar(Crl. side)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthama Gandhi Salai, Nungambakkam,



2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thiruvanaikaval, Trichy.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Thiruvanaikaval, Trichy.

4.The Executive Officer,
Arulmigu Ponnar Sangar Thirukovil,
Valanadu, having office at
Arulmigu Mariamman Thirukovil,
Manapparai, Trichy.

+1cc to M/S.K.Balasubramani, Advocate SR.No. 49309

Writ Petition (MD) No.3162 of 2018
16.02.2018

SMS

JM/SV MMS/SAR 2/19.02.2018/3P/6C