

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27.03.2019
CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU
W.P.No.9108 of 2019

Arulmighu Sree Jagannatheswarar
Sri Lakshminarayana Perumal
Temples Baktha Jana Sabha Trust
rep. by its Managing Trustee
Mr.R.Rajagopalan
No.11-A, West Agraharam,
Valavanur - 605 108
Villupuram District
Now residing at
C-53, Sreenivas Towers,
Puducherry-Villianoor Main Road,
olugaret
Reddiarpalayam
Puducherry-10

... Petitioner

Vs.

The Government of Tamil Nadu
rep. by its Secretary to Government,
Religious and Charitable Endowments Department,
Fort St.George,
Chennai - 600 009.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent to dispose of the main revision petition in R.P.No.22 of 2015 against R.P.No.31 of 2015 on the file of the Government of Tamil Nadu represented by Secretary to Government, Hindu religious Charitable Endowment Department, Fort St.George, Chennai - 600 009, filed by the petitioner Trust, under Section 114 of the Tamil Nadu HR& CE Act within a specified time frame.

For Petitioner : Mr.K.Ashok Kumar

For Respondent : Mr.M.Maharaja,
Special Government Pleader

O R D E R

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

2. The petitioner seeks for a Mandamus to direct the respondent to dispose of the main revision petition in R.P.No.22 of 2015 made against R.P.No.31 of 2015 on the file of the Government of Tamil Nadu represented by Secretary to Government, Hindu religious Charitable Endowment Department, Fort St.George, Chennai - 600 009, filed by the petitioner Trust, under Section 114 of the HR& CE Act within a specified time frame.

3. The case of the petitioner is as follows:

The petitioner is the Managing Trustee of the Aulmighu Sree Jagannathaeswarar Sri Lakshminarayana Perumal Temples Baktha Jana Sabha Trust. It is stated that Sri Lakshmi Narayana Perumal Temple, Agraharam, Valavanur Villupuram District, is an ancient temple and the said temple owns valuable agricultural lands to the extent of 55 acres including valuable jewels and Kavachams donated by devotees of the said temple. The petitioner Trust had undertaken to renovate the said temple after obtaining permission from the Tamil Nadu H R & CE Department and the work was almost completed. All the documents in this regard have been filed in the typed set of papers. The Tamil Nadu HR & CE Department had filed an affidavit before this Court stating misdeed and mal-administration in the said Temple. Therefore, the petitioner Trust filed a petition before the Joint Commissioner, TN HR & CE Department, Villupuram. The said Joint Commissioner rejected the petition filed by the petitioner. The petitioner Trust preferred a statutory revision in R.P.No.31 of 2015 before the Commissioner, TN HR & CE Department and the same was disposed of by order dated 10.07.2015 confirming the order of the 2nd respondent dated 22.08.2013, recognising the 4th respondent as the hereditary Trustee of the Arulmighu Sri Lakshminarayana Perumal Temple. Challenging the said order, a revision was filed before the respondent Government and the same was numbered as R.P.No.22 of 2015 and it was taken on file. However, no hearing was held till November 2017. The petitioner trust made several request and thereafter, the said revision petition was taken up for final hearing on 20.11.2017 and the respondent had reserved the same for orders and no orders was passed for more than 1 ½ years. As the matter pertains to management of the said temple, it is just and necessary that appropriate orders has to be passed at the earliest. Hence, this writ petition is filed with the relief as stated supra.

3. Heard both sides.

4. The grievance of the petitioner is that since the matter pertains to the management of the Temple and no order has been passed by the respondent in the revision petition filed by them, they are put to great hardship. Therefore, the petitioner seeks

for a direction from this Court to direct the the respondent to pass orders on the revision petition filed by the petitioner.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the respondent to consider and decide the same on merits and in accordance with law. Accordingly, this Writ Petition is disposed of, only by directing the respondent to dispose of the Revision Petition No.22 of 2015 filed by the petitioner as against the order dated 10.07.2015 made in R.P.No.31 of 2015 passed by the Commissioner, TN HR& CE, Administration Department, Chennai, after hearing all the parties concerned. Such exercise shall be done by the respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

vsi

To

The Secretary to Government,
Religious and Charitable Endowments Department,
Fort St.George,
Chennai - 600 009.

+1 cc to M/s.K.Ashok Kumar, Advocate, Sr.No. 29453

+1 cc to The Government Pleader, Sr.No. 30695

RK(CO)
CSL/03.05.2019

W.P.No.9108 of 2019

सत्यमेव जयते

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