

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Appeal No.1176 of 2019

R.Senthilkumar .. Appellant/Petitioner

-vs-

- 1.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Board,
Administration Department,
Sathy Road, Erode.
- 2.The Inspector,
Hindu Religious and Charitable Endowment Board,
Administration Department,
Kunathur Road, Perundurai, Erode District.
- 3.The Executive Officer,
Thamburatti Amman Kovil,
Ingur, Perundurai Taluk,
Erode District. ... Respondents/Respondents

APPEAL under Clause 15 of the Letters Patent to set aside the order dated 12.12.2018 made in W.P.No.30297 of 2005 on the file of this Court.

Prayer in WP No.30297/05 : Writ Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent herein to conduct an enquiry and to take action against the persons who are responsible for demolition of A/M Thamburatti Amman Thirukovil Ingur by considering my representation dated 4.6.2005.

For Appellant : Mr.C.Prakasam

For RR1 and 2 : Mr.M.Maharajan,
Special Govt. Pleader (HR & CE)

JUDGMENT

(Delivered by T.S.Sivagnanam, J.)

This appeal has been filed by the appellant/writ petitioner challenging the order in W.P.No.30297 of 2005, dated 12.12.2018.

2.Heard Mr.C.Prakasam, learned counsel for the appellant/petitioner; and Mr.M.Maharajan, learned Special Government Pleader for respondents 1 and 2.

3.The said writ petition, viz., W.P.No.30297 of 2005 was filed for a direction upon the first respondent to conduct an enquiry and take action against the persons who are responsible for demolition of Arulmighu Thamburatti Amman Thirukovil, Ingur by considering the appellant/petitioner's representation dated 04.06.2005.

4.The learned Single Bench, in our view, rightly held that no direction can be issued to the first respondent to conduct an enquiry into the alleged demolition of the temple, admittedly on account of certain disputes between two sets of people in the same locality. Therefore, we find there is no ground to entertain the appeal.

5.Accordingly, the writ appeal stands dismissed. However, this will not prevent the appellant from approaching the appropriate forum for necessary relief. No costs.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

abr

To

1.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Board,
Administration Department,
Sathy Road, Erode.

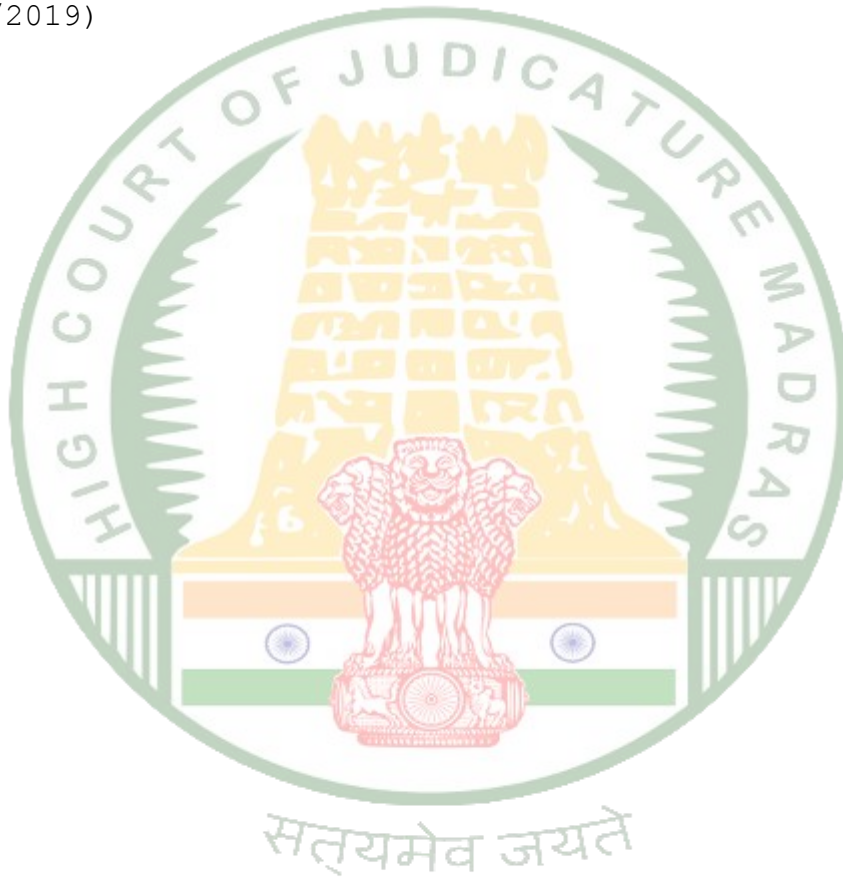
2.The Inspector,
Hindu Religious and Charitable Endowment Board,
Administration Department,
Kunathur Road, Perundurai, Erode District.

3.The Executive Officer,
Thamburatti Amman Kovil,
Ingur, Perundurai Taluk,
Erode District.

+2cc to Mr.C.Prakasam, Advocate SR.No.32124

W.A.No.1176 of 2019

LN (CO)
GMY (23/04/2019)



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