



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 09.12.2019

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.34163 of 2019

and

W.M.P.No.34782 of 2019

Karunakaran

.. Petitioner

..Vs..

- 1.The Commissioner,
Hindu Religious & Charitable Endowment Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai.
- 2.The Joint Commissioner,
Department of Hindu Religious & Charitable Endowment,
Kottai Mariamman Temple,
Salem - 636 001.
- 3.The Assistant Commissioner,
Department of Hindu Religious & Charitable Endowment,
Kottai Mariamman Temple,
Salem - 636 001.
- 4.The Inspector,
Department of Hindu Religious & Charitable Endowment,
Omalar,
Salem - 636455.

.. Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents 1 to 3 to consider of the Petitioner's representation dated 02.11.2019 and consequently, direct the 4th Respondent not to interfere with the administration of that Arulmigu Mannarsamy Pachaiyamman Temple, situate in S.No.11/4, Pethampatti Village, Murungampatti Village, Salem District.

For Petitioner

: Mr.W.Camyles Gandhi

For Respondents

: Mr.M.Maharaja,
Special Government Pleader,
(HR & CE).



O R D E R

Originally a fit person was appointed for the Administration of the Arulmigu Mannarsamy Pachaiyamman Temple, Pethampatti Village, Murungampatti Village, Salem District. The order of appointing a fit person was set aside by the Commissioner, Hindu Religious & Charitable Endowment, by a detailed order dated 22.09.2011 in R.P.No.30 of 2009 D2.

2. The petitioner claims to be the Hereditary Trustee of the said Temple. It is the grievance of the petitioner that the 4th respondent namely, the Inspector, Hindu Religious & Charitable Endowment, Omalur, Salem, is interfering with his peaceful activity and in construction of Annadhana Koodam in the Temple premises. As a matter of fact, the 4th respondent has also given a police complaint, stating that a criminal trespass has been committed by the petitioner herein and after conducting an enquiry, the Police Authorities have also closed the complaint.

3. However, a representation has been given by the petitioner to the Commissioner, HR & CE., Chennai, and a copy was also marked to the Joint Commissioner, HR & CE., Salem, seeking protection from the interference of the 4th respondent. The 2nd respondent, Joint Commissioner, HR & CE., Salem, is requested to examine the said representation dated 02.11.2019, and issue notice to all the parties including the 3rd and 4th respondents and then pass a considered order, on or before 10.01.2020.

4. With the above observation, the Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

smv



To

- 1.The Commissioner,
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Salem - 636 001.
- 4.The Inspector,
Department of Hindu Religious & Charitable Endowment,
Omalar,
Salem - 636455.

+1CC to W.Camyles Gandhi, Advocate, SR.No.102671.

+1CC to SPL.Government Pleader, SR.No.102981.

W.P.No.34163 of 2019
and
W.M.P.No.34782 of 2019

VBA(CO)
CSR: 06/01/2020