

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2019

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.30479 of 2018

Arulmigu Mariamman Temple,
Rep. by its
Chairman of Hereditary Trustee,
Mr.C.R.Thirupathi Gounder,
S/o.Chinnapaiyan @ Ramasamy,
Avandhanapatti Post, Agraharam Post,
Krishnagiri Taluk & District.
....Petitioner

..Vs..

1. The Commissioner,
HR & CE Department,
Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034.
2. The Joint Commissioner,
HR & CE Department,
Salem.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to approve the resolution No.36 dated 30.07.2018 passed by the Hereditary Trustees of the petitioner's temple within a stipulated period fixed by this Hon'ble Court.

For Petitioner : Mr.C.Samivel
For Respondents: Mr.M.Maharaja
Spl. Govt. Pleader (HR & CE)

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents to approve the resolution No.36 dated 30.07.2018 passed by the Hereditary Trustees of the petitioner's temple.

2. Heard the learned counsel appearing for the petitioner.

3. Mr. Maharaja, learned Special Government Pleader appearing for the respondents, would submit that the other community members have to be put on notice as the resolution electing the petitioner as Hereditary Trustee was passed on 30.07.2018 and the mandamus is sought for to approve the same by sending the representation on 14.09.2018.

4. Considering the facts and circumstances of the case and having regard to the submissions made, without going into the merits of the case, this Court directs the respondents to consider the representation dated 14.09.2018 seeking to approve the resolution and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and also affording due opportunity of hearing to them as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

arr/rli

To

1. The Commissioner,
HR & CE Department,
Uthamar Gandhi Salai,
Nungambakkam.
Chennai - 600 034.

2. The Joint Commissioner,
HR & CE Department,
Salem.

+1 CC to Mr.C.Samivel, Advocate sr 5904.

W.P.No.30479 of 2018

MR(CO)
SP(03/04/2019)