



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **30.10.2019**
CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.P(MD)No.22852 of 2019
and
W.M.P. (MD)No.19602 of 2019

K.G.Krishnan

... Petitioner

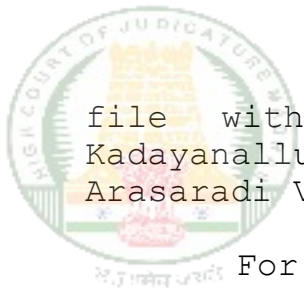
Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Nungambakkam,
Chennai - 34.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruvanandapuram Road,
Tirunelveli.
3. The Executive Officer,
Chozhiya Brahmina Annathana Chathiram,
Mupidathi Amman Temple,
Near Daily Market, Kadayanallur,
Tirunelveli District.
4. K.V.Sankarasubramanian,
Trustee,
Chozhiya Brahmina Annathana Chathiram,
Karimanikkaperumal Kovil Keelatheru,
Kadayanallur,
Tirunelveli District.
5. G.Karthik @ Ramasubramanian,
Trustee,
Arasaradi Vinayagar Temple,
41/166, Karimanikkaperumal Kovil Keelatheru,
Kadayanallur,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent to take action in the complaints pending on his

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file with regard to mismanagement and non maintenance of Kadayanallur Chozhia Brahamana Annathana Chathiram and Arulmigu Arasaradi Vinayagar Temple, Kadayanallur.

For Petitioner : Mr.A.Sivasubramanian
For R1 & R2 : Mr.A.K.Baskarapandian,
Special Government Pleader
For R3 : Mr.V.Chandrasekar

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.A.Sivasubramanian, learned counsel for the petitioner, Mr.A.K.Baskarapandian, learned Special Government Pleader for the respondents 1 and 2 and Mr.V.Chandrasekar, learned counsel for the third respondent.

2. By way of this writ petition, the petitioner seeks for a direction upon the HR & CE Department to take action in respect of two religious endowments. After the representation was received, the authorities have enquired into the matter and sent a comprehensive reply to the petitioner dated 29.05.2017. If at all the petitioner is aggrieved by what was informed in the reply, his remedy is before the appropriate civil forum and not before the Department as against the respondents 3 to 5, who are the Executive Officer and Trustees in the said endowment. The petitioner did nothing, but, keep on approaching the authorities including the Honourable Chief Minister's Special Cell. The petitioner's concern is that nothing has been done for the Endowment/Chathiram and it is mismanaged by the respondents 3 to 5 and if that is so, the remedy is, the petitioner has to invoke the provisions against the respondents 3 to 5 and not by way of filing the writ petition, more so, when the Department in the year 2017 itself has given a proper reply to the petitioner.

3. Therefore, in the given facts and circumstances of the case, we cannot issue any direction as sought for in the writ petition. However, we make it clear that it is well open to the petitioner to seek for appropriate remedy before appropriate forum as against the respondents 3 to 5, if he is so advised.

With the above observations, the writ petition is dismissed. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //



To

1. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Nungambakkam,
Chennai - 34.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruvanandapuram Road,
Tirunelveli.

+1 CC to SPL GP (SR-95150[F] dated 31/10/2019)

+1 CC to Mr.SIVASUBRAMANIAN, Advocate (SR-95242[F] dated
31/10/2019)

W. P (MD) No. 22852 of 2019

30.10.2019

pm

MK (13.11.2019) 3P 5C