



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.06.2021

Coram

The Honourable Mr. Justice V.PARTHIBAN

W.P.No.12447 of 2017

Dr.T.Sundaravadivelan

... Petitioner

Vs.

The Commissioner,
Hindu Religious & Charitable Endowments,
Nungambakkam,
Chennai - 600 034.

....Respondents.

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 26.02.2021.

For Petitioner .. Mr.N.Suriya Muthu

For Respondents .. Mr.John J Raja Singh,
Government Advocate

ORDER

The matter is taken up through web hearing.

The case of the petitioner is that the respondent Department issued advertisements for the post of Non-Hereditary trustee for the Nagapattinam District on 20.09.2019 and 26.09.2019. The petitioner has applied for consideration of his appointment as a Trustee. However, ultimately it appears that some 5 persons have been selected as Non-Hereditary Trustees in November, 2019.

2. According to the petitioner, he subsequently came to know about the selection of 5 persons as Trustees and in that context, he appears to have submitted a representation on 03.07.2020 and further representations on 01.10.2020 and 26.02.2021. The petitioner was replied by the department on 08.03.2021 stating that 5 persons have already been appointed. The petitioner has therefore, filed this case for issuance of Writ of Mandamus to dispose of his representation dated 26.02.2021 regarding his non-selection.

3. This Court is unable to countenance as to how the writ



petition for issuance of mandamus could be maintained, particularly, when the petitioner himself has pleaded in the affidavit that he was informed by the department on 08.03.2021 about the selection of 5 persons as Trustees for the Nagapattinam District. Instead of challenging the appointment of the Trustees, the petitioner has filed this Writ Petition for issuance of Mandamus, which in the opinion of this Court, cannot be maintained at all. Even otherwise, the selection appears to have been concluded as early as in November, 2019 and nothing has been explained in the affidavit as to how the petitioner has leisurely and casually approaching this Court presently. The averments in the affidavit are too sketchy, bald and without giving any specific details as to the selection criteria adopted by the department or his personal qualification. On the whole, this Court is of the view that the writ petition is not maintainable for the reason that the affidavit is completely bereft of any details and therefore, the Writ petition cannot be entertained at all. Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

vsi

To

The Commissioner,
Hindu Religious & Charitable Endowments,
Nungambakkam,
Chennai - 600 034.

+1cc to the Government Pleader, S.R.No.27580

W.P.No.12447 of 2021

PL(CO)
CB(19/07/2021)