



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.29220 of 2017

Dr.G.Balakrishnan

...Petitioner

Vs.

1. The Commissioner,
Hindu Religious Charitable Endowment,
119, Nungambakkam High way,
Nungambakkam, Chennai-600 034.
2. The District Collector,
Dharmapuri District, Dharmapuri.
3. The Joint Commissioner,
Hindu Religious Charitable Endowment,
Kottai Mariamman Complex,
Salem - 636 001.
4. The Executive Officer,
Hindu Religious Charitable Endowment,
Arulmigu Madeswara Swami Thirukoil,
Vathimarathahalli, Pennagaram Taluk,
Dharmapuri District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of mandamus directing the 1st respondent to grant permission to the petitioner to perform welfare measure to 4th respondent temple by considering petitioner's representation dated 31.01.2017 and on the basis of 4th respondent's report dated 09.06.2017.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondents : Mr.N.R.R.Arun Natarajan(for R1 to R4)
Government Advocate

ORDER

Heard learned counsel for the petitioner and Mr.NRR Arun Natarajan, learned Government Advocate for the R1 to R4 i.e. the Commissioner, the District Collector, the Joint Commissioner and



the Executive Officer, Hindu Religious and Charitable Endowment of Arulmigu Madeswara Swami Thirukoil (temple in question).

2. The petitioner seeks a mandamus directing R1 to grant him permission to perform welfare measures to the temple in question. He also says that he has filed a representation dated 31.01.2017 seeking the similar prayer as sought in this writ petition. He states that on 07.06.2017, there was an inspection conducted by the Department of Archaeological, Kovai Zone and the Inspector of Police in which he participated. A report of the R4/Executive Officer filed before the District Collector to the effect that the temple is in urgent need of maintenance and renovation is also placed on file.

3. No acknowledgment is placed on file for receipt of the representation and since much time has elapsed, nothing would be gained by keeping this writ petition pending any longer.

4. I thus close this writ petition recording that nothing survives therein as of now. However, liberty is granted to the petitioner to move a fresh representation in this regard and such representation, if and when received, shall be considered by the authorities and disposed after hearing the petitioner, in accordance with law, within a period of eight weeks from date of receipt of the same. No costs.

5. In any event, since the report of the Executive Officer/R4 does indicate that the temple is widely frequented by devotees and is in need of maintenance and repair, a direction is issued to the Commissioner, HR&CE Department to look into the matter independent of a representation, if any, filed by the petitioner and take suitable action in this regard.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner,
Hindu Religious Charitable Endowment,
119, Nungambakkam High way,
Nungambakkam, Chennai-600 034.



2. The District Collector,
Dharmapuri District,
Dharmapuri.

3. The Joint Commissioner,
Hindu Religious Charitable Endowment,
Kottai Mariamman Complex,
Salem - 636 001.

4. The Executive Officer,
Hindu Religious Charitable Endowment,
Arulmigu Madeswara Swami Thirukoil,
Vathimarathahalli, Pennagaram Taluk,
Dharmapuri District.

+1cc to M/s.R.Marudhachalamurthy, S.R.No.33032

W.P. No.29220 of 2017

KSM[co]
NSK 06/09/2021