



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.03.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.7433 of 2022

R.Ramalingam

..Petitioner

Vs.

1. The Commissioner,
Hindu Religious & Charitable Endowment,
Uttamar Gandhi Salai, Nungambakkam,
Chennai 600 034.
2. The Joint Commissioner,
Hindu Religious & Charitable Endowment (Admn.),
Kancheepuram, Kancheepuram District.
3. The Assistant Commissioner,
Hindu Religious & Charitable Endowment,
Chengalpattu,
Chengalpattu District.
4. The Executive Officer,
Arulmigu Mari Chinnamman Temple,
West Kulakkarai Street,
Kadambadi Village,
Thirukazhukundram Taluk,
Chengalpattu District.

..Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner as Hereditary Trustee of "Arulmighu" Sri Mari Chinnamman Temple, Kadambadi Village, Thirukazhukundram Taluk, Chengalpattu District, by considering the representation dated 22.05.2021 made by the petitioner, within a period to be stipulated by this Court.

For Petitioner : Mr.R.Chandrasekaran

For Respondents: Mr.N.R.R.Arun Natarajan
(Special Government Pleader)



O R D E R

This Writ Petition is filed by the petitioner for a direction to consider his representation dated 22.05.2021.

WEB COPY

2. By consent of the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents, the Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, "Arulmighu Sri Mari Chinnamman Temple" at Kadambadi Village, Thirukazhukundram Taluk, Chengalpattu District is a famous temple in that locality. The petitioner's paternal ancestors were the Hereditary Trustees of the above said temple for the past several years. The petitioner's father, in the capacity of the Hereditary Trustee, was performing poojas and ritual activities of the temple. He died on 10.07.1991. After his death, the petitioner is entitled to be appointed as Hereditary Trustee. All the other legal heirs have given consent letter dated 01.08.2018 to appoint the petitioner as Hereditary Trustee to the above temple. The petitioner gave a representation dated 01.02.2021, requesting the respondents to appoint him as Hereditary Trustee and filed W.P.No.6377 of 2021. This Court, by an order dated 12.03.2021, directed the 2nd respondent to consider the representation of the petitioner dated 01.02.2021 on merits, after giving an opportunity of personal hearing to the petitioner and pass orders within four months from the date of receipt of copy of that order. The petitioner gave another representation on 22.03.2021. The 2nd respondent, by the letter dated 03.05.2021, called upon the petitioner to appear for enquiry. Due to Covid pandemic situation, enquiry was not conducted on that date. The petitioner gave another representation dated 04.11.2021. According to the petitioner, no enquiry was conducted and no order is passed by the 2nd respondent and hence, the petitioner has come out with the present Writ Petition.

4. Mr. N.R.R. Arun Natarajan, learned Special Government Pleader appearing for the respondents submitted that due to Covid pandemic situation, enquiry fixed on 17.05.2021 was not conducted and the 2nd respondent is taking steps to conduct enquiry. After giving opportunity to the petitioner, the 2nd respondent will consider the representation of the petitioner and pass orders.

5. From the above facts as stated above, it is seen that already this Court, by the order dated 12.03.2021 made in W.P.No.6377 of 2021, directed the 2nd respondent to consider the representation of the petitioner dated 01.02.2021 and pass



orders after affording opportunity of personal hearing to the petitioner, within a period of four months. Further, it is seen that even though the 2nd respondent called for enquiry to be held on 17.05.2021, by the letter dated 03.05.2021, no enquiry was conducted to consider the representation of the petitioner on that day. Now, the conditions imposed for Covid restriction are relaxed by the Government. Taking into account the representation of the petitioner, the 2nd respondent is directed to consider the representation of the petitioner and pass orders on the same, as directed by this Court earlier on 12.03.2021 in W.P.No.6377 of 2021, within a period of four weeks from the date of the receipt of copy of this order.

With the above directions, the Writ Petition is disposed. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Commissioner,
Hindu Religious & Charitable Endowment,
Uttamar Gandhi Salai, Nungambakkam,
Chennai 600 034.
2. The Joint Commissioner,
Hindu Religious & Charitable Endowment (Admn.),
Kancheepuram, Kancheepuram District.
3. The Assistant Commissioner,
Hindu Religious & Charitable Endowment,
Chengalpattu, Chengalpattu District.
4. The Executive Officer,
Arulmigu Mari Chinnamman Temple,
West Kulakkarai Street,
Kadambadi Village,
Thirukazhukundram Taluk,
Chengalpattu District.

+1cc to Mr.R.Chandrasekaran, Advocate, S.R.No.20829

+1cc to Special Government Pleader, S.R.No.21160

W.P.No.7433 of 2022

GPL(CO)

RGA(11/04/2022)