



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.No.22808 of 2018

K.K.Narayanasamy

.. Petitioner

Vs.

1.The Commissioner,  
Hindu Religious and Charitable  
Endowment Department,  
Nungambakkam,  
Chennai 600 034.

2.The Joint Commissioner,  
HR & CE Department,  
Coimbatore 641 018.

3.The Assistant Commissioner,  
HR & CE Department,  
Tiruppur,  
Tiruppur District.

4.N.Kaliappan

5.P.Sundararaj

6.R.Marimuthu

7.P.Thirumoorthy

.. 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 1 to 3 to take action against the respondents 4 to 7 for their illegal collection of money in the name of deity and prosecute them along with the officers who intentionally aided them for siphoning of the funds, by considering the petitioner's representations dated 19.01.2018, 13.03.2018 and 12.04.2018 afresh.



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For Petitioner : Mr.N.Manokaran

For RR1 to 3 : Mr.S.Yashwanth  
Additional Government Pleader(HR & CE)

For RR4 to 6 : Mr.Rajeshkannan

For R7 : Mr.B.Gopalakrishnan  
for M/s.B.Kumarasamy

#### O R D E R

This Writ Petition is filed for a direction to the respondents 1 to 3 to take action against the respondents 4 to 7 for their illegal collection of money in the name of deity and prosecute them along with the officers who intentionally aided them for siphoning of the funds, by considering the petitioner's representations dated 19.01.2018, 13.03.2018 and 12.04.2018 afresh.

2. According to the petitioner, he is the resident of Kannamanaickenur Village and devotee of A/m.Utchi Mahaliyamman Temple, A/m.Karikaliyamman Temple, A/m.Shri Periya Vinayagar Temple and A/m.Kariaperumal Temple. The temples were established 200 years ago. The petitioner, who is a senior citizen, took efforts for the Hindu Religious and Charitable Endowment Department to take over management of the temples. Now administration of the temples is carried on smoothly by the Department. While so, the respondents 4 to 7 are interfering with the management of the temples. They are collecting money from each and every family in the village, but they do not issue any receipt. They are not maintaining accounts and they are misappropriating the funds of the temples. Hence, the petitioner has given three representations dated 19.01.2018, 13.03.2018 and 12.04.2018 to the respondents 1 to 3 to conduct enquiry and to take action on the officials and respondents 4 to 7. Since his representations are not considered, the petitioner has come out with the present Writ Petition.

3. The learned counsel appearing for the respondents 4 to 6 and 7<sup>th</sup> respondent separately contended that it is only the petitioner who is creating problem in the management of the temples. The 4<sup>th</sup> respondent is popular among the residents of Kannamanaickanur village. Due to that, the petitioner is making allegations without any basis. All the allegations made are imaginary. The petitioner has to prove that the respondents 4 to 6 have collected money from the villagers and the petitioner is not entitled for the relief sought for in the Writ Petition and prayed for dismissal of the Writ Petition.



4. Heard the learned counsel appearing for the petitioner, learned Additional Government Pleader appearing for the respondents 1 to 3, learned counsel appearing for the respondents 4 to 6 as well as the learned counsel appearing for the 7<sup>th</sup> respondent and perused the entire materials available on record.

5. It is the case of the petitioner that respondents 4 to 7 are collecting money in the name of the temples and are misappropriating the same. On the other hand, it is the case of the respondents 4 to 7 that the petitioner, unable to accept the popularity of the 4<sup>th</sup> respondent, has come out with the present Writ Petition, making false and imaginary allegations. A complaint has been given to the respondents 1 to 3 stating that amounts are collected in the name of the temples in collusion with Executive Officer and funds are misappropriated. If such serious allegations are made, the respondents 1 to 3 are duty bound to enquire into the matter and find out whether these allegations are true or not. For the said reason, the respondents 1 to 3 are directed to conduct enquiry based on the representation given by the petitioner and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The respondents 1 to 3 are directed to give an opportunity to the petitioner and respondents 4 to 7 to substantiate their case by producing both oral and documentary evidence.

With the above direction, the Writ Petition is disposed of. No costs.

Sd/-  
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

gsa

To

1. The Commissioner,  
Hindu Religious and Charitable  
Endowment Department,  
Nungambakkam,  
Chennai 600 034.

2. The Joint Commissioner,  
HR & CE Department,  
Coimbatore 641 018.



3.The Assistant Commissioner,  
HR & CE Department,  
Tiruppur,  
Tiruppur District.

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+1cc to M/s.B.Kumarasamy, Advocate, S.R.No.15433  
+1cc to M/s.N.Manoharan, Advocate, S.R.No.15237  
+2cc to M/s.N.Rajesh Kannan, Advocate, S.R.No.14980  
+1cc to the Special Government Pleader, S.R.No.15293

W.P.No.22808 of 2018

SK(CO)  
SB(25/03/2022)