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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2022

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.28259 of 2021

M.Padmanaban

... Petitioner

Vs

The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamagandhi Road,
Nungambakkam, Chennai - 34.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent herein to consider the petitioner's representation dated 09.07.2021 and to pass order on his representation in accordance with law.

For Petitioner : Mr.M.Ganesh

For Respondent : Mr.T.Chezhian
Additional Government Pleader

O R D E R

The prayer sought for herein is for a writ of mandamus directing the respondent herein to consider the petitioner's representation dated 09.07.2021 and to pass orders on his representation in accordance with law.

2. The petitioner claimed that the temple called Sri Akasa Mariamman temple at Thanjavur was governed by a Scheme approved by the Deputy Commissioner, H.R. & C.E. Department, Thanjavur by order dated 10.12.1964 made in O.A.No.32 of 1963.

3. Accordingly, the Board of Trustees have been appointed who are administering the said temple. However, the petitioner has made some allegations against the petitioner Management Board like misappropriation, corruption, malpractice, mismanagement etc. Therefore, the petitioner has given a representation to the respondent on 09.07.2021 to take action by



conducting an enquiry in this regard against those who allegedly involved in such malpractice and to appoint the Executive Officer concerned as a fit person for the temple to manage for the time being.

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4. Since the said representation having not been considered, the petitioner has approached this Court by filing the present writ petition with the aforesaid prayer.

5. Reiterating the aforesaid facts, the learned counsel for the petitioner seeks indulgence of this Court to issue a direction to the respondent.

6. Heard Mr.T.Chezhian, learned Additional Government Pleader appearing for the respondent who would submit that, so far as the present Administration Board is concerned, there is no specific complaint received by the H.R. & C.E. Department against the said Board except the representation or complaint given by the petitioner, anyhow since he has given this representation, that would be considered and disposed of in accordance with law within a time frame, he contended.

7. Considering the limited scope of the prayer sought for herein and having regard to the said submission made by the learned counsel appearing for both sides, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the respondent to consider the representation of the petitioner dated 09.07.2021 by forwarding the same to the concerned Joint Commissioner or Deputy Commissioner concerned as the case may be and to dispose the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

8. With this direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

Sgl



To:

The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamagandhi Road,
Nungambakkam, Chennai - 34.

Copy to:

The Joint Commissioner/Deputy Commissioner,
HR & CE,
119, Uthamagandhi Road, Nungambakkam,
Chennai-34.

+1cc to the Government Pleader, S.R.No.1475

W.P. No.28259 of 2021

CP(CO)
SU(24/01/2022)