



WP.No.34437 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.34437 of 2022

N.R.Kumaraguru

... Petitioner

Vs

1. The Secretary to Government,
Tourism Development and Hindu Religious &
Charitable Endowment Department,
Fort St. George, Chennai – 600 009.
2. The Commissioner,
Hindu Religious Charitable Department,
199, Uthamar Gandhi Salai, Nungambakkam,
Chennai – 600 034.
3. The Additional Commissioner,
Hindu Religious Charitable Department,
199, Uthamar Gandhi Salai, Nungambakkam,
Chennai – 600 034.
4. Sri Muthukumarasamy Devasthanam,
Popularly known as Kandhakottam
Rep. by its Executive Officer,
Rasappa Chetty Street, Park Town,



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Chennai – 600 003.

5. N.Dhanabalam, Joint Commissioner,
HR & CE Department,
No.119, Purasaiwalkam High Road,
Chennai – 600 010.

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the first and second respondents to take suitable action against the 5th respondent for the serious misconduct and misusing his official possession for his personal benefit and for his family members as claimed by the petitioner in his representation dated 17.03.2022 in a time bound period.

Petitioner : Mr.K.Mohanamurali

Respondents : Mr.M.Rajendran
Additional Government Pleader – R1,3& 5
Mr.R.Bharanidharan – R4

ORDER

This Writ Petition has been filed to direct the first and second respondents to take suitable action against the 5th respondent for the serious misconduct and misusing his official possession for his personal benefit and for his family members as claimed by the petitioner in his



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representation dated 17.03.2022 in a time bound period.

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2. The grievance of the petitioner is that the fifth respondent while working in the temple has misused his power and took entire first floor for rent for a meagre amount of Rs.580/- per month for his own use and even after his transfer, he has allotted the shop in favour of his wife for lesser amount. In this regard, audit objections has also been raised and there was a direction to recover the loss caused to the temple from 17.03.2003. Despite the audit objections, no action has been taken as against the fifth respondent by the authorities concerned. Hence, the present Writ Petition.

3. Mr.M.Rajendran, Additional Government Pleader takes notice to Respondent 1 to 3 and the fifth respondent. According to him, based on the representation given by the petitioner, enquiry has been conducted and the petitioner has also been examined and only Order has to be pronounced for taking further action.

4. In such view of the matter, as the enquiry has been concluded, the third respondent is directed to pass Orders on the representation given by the petitioner dated 17.03.2022 as per law within a period of two months



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from the date of receipt of a copy of this Order.

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

22.12.2022

vrc

To

1. The Secretary to Government,
Tourism Development and Hindu Religious &
Charitable Endowment Department,
Fort St. George, Chennai – 600 009.
2. The Commissioner,
Hindu Religious Charitable Department,
199, Uthamar Gandhi Salai, Nungambakkam,
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N.SATHISH KUMAR, J.

VTC

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