



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.03.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.4923 of 2022

G.Kothandam

... Petitioner

/vs./

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

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Thoothukudi District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Thoothukudi District.

4.The Executive Officer/Thakkar,
Arulmigu Bathirakaliamman Temple,
Veeramani Manickam Village,
Tiruchendure,
Thoothukudi District.

5.S.P.Patturamasundaram

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take necessary action against the 5th respondent under the provisions of HR and CE Act for the misappropriation and mismanagement of the Bathirakaliamman Temple and Santhiyamman Madasamy Temple considering the representation of the petitioner dated 21.01.2022.

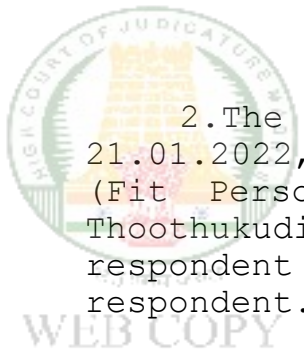
For Petitioner : Mr.M.Maheswaran

For R1 to R3 : Mr.P.Subbaraj
Special Government Pleader

For R4 : Mr.T.Selvan

ORDER

This writ petition is disposed of at the time of admission by dispensing with the notice on the 5th respondent as no adverse orders are proposed to be passed against him in this writ petition.



2.The petitioner appears to have given a representation dated 21.01.2022, after the 4th respondent/the Executive Officer/Thakkar (Fit Person) has given a report to the Inspector of Police, Thoothukudi Police Station regarding non-cooperation of the 5th respondent in handing over the temple land assets to the 4th respondent.

3.Today when the matter was taken up for hearing, the learned counsel for the 4th respondent submits that the 5th respondent along with few others had filed Crl.O.P.(MD) No.17901 of 2021 for anticipatory bail in Crime No.145 of 2021 and an interim order has been passed on 14.12.2021. The case was thereafter directed to be listed on 10.01.2022, by directing the petitioners therein to hand over all the jewels and records to the 4th respondent herein.

4.The learned counsel for the 4th respondent further submits that there has been a partial compliance inasmuch as the 5th respondent and others, who were the parties to the proceedings in Crl.O.P.(MD) No.17901 of 2021, have handed over about 36 sovereigns of gold jewels.

5.Considering the above, I direct the 2nd respondent/the Joint Commissioner, HR & CE Department, Thoothukudi, to consider the representation of the petitioner dated 21.01.2022 and pass appropriate orders on merits and in accordance with law, within a period of 6 weeks from the date of receipt of a copy of this order. It is needless to state that the petitioner and the other persons, who are likely to be affected by the orders to be passed by the 2nd respondent, shall also be heard. No costs.

Sd/-

Assistant Registrar (W)

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/ /2022

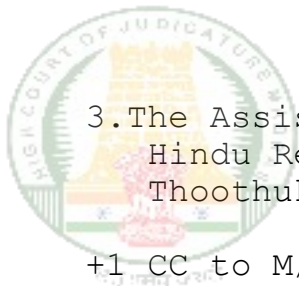
Sub Assistant Registrar(CS)

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To

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

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Thoothukudi District.



3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Thoothukudi District.

+1 CC to M/s.R.MAHESWARAN, Advocate (SR-13348[F] dated 22/03/2022)

WEB COPY

+1 CC to M/s.SPL GP (SR-13457[F] dated 22/03/2022)

W.P. (MD) No.4923 of 2022
21.03.2022

RD(01.04.2022) 3P 6C