



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.8194 of 2022

Veerachamy

... Petitioner

Vs.

The Joint Commissioner,
Hindu Religious and Charitable Endowments Office,
S.M.Salai,
Thanjavur.

...Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent take necessary action as per Clause 14 of the Scheme Decree in O.A.No.13/2012/A4 dated 15.05.2014 and published in the Government Gazette, Pudukottai dated 30.05.2014 based on petitioner's representation, dated 18.03.2022 within a stipulated time.

For Petitioner	: Mr.S.Balakarthick
For Respondent	: Mr.P.Subbaraj Special Government Pleader
For Intervener	: Mr.DR.Ramesh Mahadev

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondent to take necessary action, as per Clause 14 of the scheme decree in O.A.No.13/2012/A4 dated 15.05.2014 and published in the Government Gazette, Pudukottai dated 30.05.2014, based on the petitioner's representation, dated 18.03.2022.

2.The case of the petitioner is that donations have been collected contrary to Clause 4 of the scheme decree dated 15.05.2014. The petitioner appears to have obtained an answer from the administrative trustee of the temple, wherein the administrative trustee has replied in response to an application filed under Right to Information that no temple festival has been conducted.

3.The learned counsel for the petitioner submits that the petitioner has adequate proof to prove that the amounts have been received by the temple for conduct of the temple festivals and that the amounts have not been properly accounted and therefore, appropriate action should be taken.



4.Opposing the prayer, the learned counsel for the official respondent submits that appropriate orders will be passed after giving notice to all the persons, who are likely to be impacted by the action to be taken pursuant to the representation of the petitioner.

5.On the other hand, Mr.Ramesh Mahadev, learned counsel for the said temple submits that the writ petition has been filed without impleading the persons, against whom the allegations have been made.

6.Considering the above submission, I am inclined to dispose of this writ petition by directing the respondent/the Joint Commissioner to consider and dispose of the representation of the petitioner dated 18.03.2022 on merits and in accordance with law, after giving notice and giving an opportunity of being heard to all the members of the trustees of the temple, namely Kuttiyandavar, Shri Mariamman and Allied Deities Temple including the administrative trustee, within a period of 6 weeks from the date of receipt of a copy of this order.

7.The writ petition stands disposed of, in terms of the above observation. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

The Joint Commissioner,
Hindu Religious and Charitable Endowments Office,
S.M.Salai, Thanjavur.

+1 CC to M/s.S. BALAKARTHICK, Advocate (SR-21784[F] dated 27/04/2022)

+1 CC to M/s.SPL.GP. (SR-22527[F] dated 29/04/2022)

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MGJ(27.05.2022) 2P 4C