



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.13346 of 2019

K.Mahalingam

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Board,
No.119, Uttamar Gandhi Salai,
Nungambakkam,
Chennai-34.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
Myladuthurai.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Kumbakonam.

4.The Executive Officer,
Arulmighu Thenupureeswarar Thirukkivil,
Patteeswaram,
Kumbakonam Taluk,
Thanjavur District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd respondent herein take necessary action for misappropriating the funds of the temple and maladministration on the basis of the direction issued by the 2nd respondent dated 27.03.2019 and consequently to direct the respondents to appoint a Fit Person for managing the said temple on the basis of the petitioner representation, dated 16.03.2019 within the time stipulated by this Court.

For Petitioner : Mr.B.Jameel Arasu

For R1 to R3 : Mr.P.Subbaraj

Special Government Pleader

For R4 : No Appearance

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 to 3.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The learned counsel for the respondents submits that date for enquiry was fixed, however, the petitioner has not turned up. In this connection, reference was invited to paragraph 3 of the counter, wherein, it had stated that the petitioner had not turned up for an enquiry proposed to be held on 02.07.2019. It is further submitted that hereditary trustee has attended the enquiry and the statement was also recorded and the case was thereafter adjourned to 15.07.2019. It is submitted that even on that date also the petitioner has not attended for the enquiry. It is submitted that on 29.07.2019, the petitioner was called but did not reported for the enquiry and that the petitioner is not interested in completion of enquiry.

3. Since the writ petition has been filed only for a Mandamus and no orders has been passed by the third respondent, once again last opportunity is being given to the petitioner to appear before the third respondent for enquiry. The petitioner shall appear on 28.02.2022 at 10.30 a.m., who shall either proceed with the enquiry on the said date or give a fresh date and pass an appropriate order within a period of three months from the date of receipt of copy of this order thereafter.

4. The Writ Petition is disposed of with the above observations. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sn

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Commissioner,
Hindu Religious and Charitable Endowments Board,
No.119, Uttamar Gandhi Salai,
Nungambakkam,
Chennai-34.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
Myladuthurai.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Kumbakonam.

4.The Executive Officer,
Arulmighu Thenupureeswarar Thirukkovil,
Patteeswaram,
Kumbakonam Taluk,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-8109[F] dated 23/02/2022)

W.P(MD) .No.13346 of 2019
22.02.2022

SS(CO)

GC(08.03.2022) 3P 6C