



W.P.(MD).No.16515 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2022

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.P.(MD).No.16515 of 2020

and

W.M.P.(MD).No.13805 of 2020

M.Manoj Babu

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Represented by its Secretary,
Tamil Nadu Development and
Hindu Religious and
Charitable Endowment Department,
Fort St.George,
Chennai – 600 009.
- 2.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Uthamar Gandhi Salai,
Chennai – 600 034.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai.
- 4.The Executive Officer,
Arulmigu Adaikalam Katha Ayyanar
and Padrakali Amman Temple,
Madapuram,
Thiruppuvnam Taluk and Post,
Sivagangai District.



W.P.(MD).No.16515 of 2020

5.The Regional Auditing Officer,
Hindu Religious and Charitable Endowment,
Sivagangai.

6.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Virudhunagar.

7.Jaisankar

8.Palaniappan

9.Baskaran

10.Deepa Amirtham

11.Shanmugavel

12.Kamala

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 4 to take appropriate action by conducting special audit and enquiry against the respondents 7 to 12 and his family members in the matters of conducting Kumbabhisekam held on 04.06.2017 for the temple namely Arulmighu Adaikalam Katha Ayyanar and Padrakali Amman, Madapuram , Thirupuvanam Taluk, Sivagangai District and remove the respondents 8 to 12 from the present Board of Trusteeship (2020-2023) of Arulmighu Adaikalam Katha Ayyanar and Padrakali Amman Temple, Madapuram.



W.P.(MD).No.16515 of 2020

For Petitioner : Mr.S.Balamurugan
For R-1 to R-3, : Mr.M.Ramesh,
R-5 and R-6 Government Advocate.
For R-4 : Mr.C.Guhaseelarupan
for R-7 : No appearance
For R-8 to R-12 : Mr.R.Udhayakumar

ORDER

This Writ Petition is filed seeking a writ of Mandamus directing the Respondents 1 to 4 to take appropriate action by conducting special audit and enquiry against the Respondents 7 to 12 and their family members with regard to conduct of Kumbabhisekam held on 04.06.2017 for the temple, namely, Arulmighu Adaikalam Katha Ayyanar and Padrakali Amman, Madapuram, Thirupuvanam Taluk, Sivagangai District and remove the respondents 8 to 12 from the present Board of Trusteeship (2020-2023) of the said temple.

2. Today, when the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner that he was informed by the Respondents that the 6th Respondent has commenced an enquiry against the Respondents 7 to 12. In view of the same, the learned counsel for the petitioner confines his prayer to ensure that the enquiry shall be completed within a stipulated time frame after affording an opportunity to all the parties concerned.



W.P.(MD).No.16515 of 2020

WEB COPY

3. The learned Government Advocate appearing for the official Respondents and the learned counsel for the 4th Respondent would also agree to the above suggestion made by the learned counsel for the petitioner.

4. Though the Respondents 1 to 6 do not have any objection, there was an attempt by the learned counsel for the Respondents 8 to 12 to suggest that the proceeding itself is unsustainable, since this Court is of the view that it will be premature to examine the said aspect as the enquiry has already commenced. It is thus desirable that the 6th Respondent, as suggested by the learned counsel for the petitioner, completes the enquiry within a period of four (4) months from the date of receipt of a copy of this order.

5. In view of the same, this Court is inclined to direct the 6th Respondent to complete the enquiry, if any pending, within a period of four (4) months from the date of receipt of a copy of this order, after affording a reasonable opportunity to all the parties concerned.



W.P.(MD).No.16515 of 2020

6. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

26.09.2022

Index : Yes / No
Internet : Yes/ No
Lm

To

- 1.The Secretary,
The State of Tamil Nadu
Tamil Nadu Development and
Hindu Religious and
Charitable Endowment Department,
Fort St.George,
Chennai – 600 009.
- 2.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Uthamar Gandhi Salai,
Chennai – 600 034.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai.
- 4.The Regional Auditing Officer,
Hindu Religious and Charitable Endowment,
Sivagangai.
- 5.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Virudhunagar.



WEB COPY



W.P.(MD).No.16515 of 2020

MOHAMMED SHAFFIQ, J.

Lm

**W.P.(MD).No.16515 of 2020
and
W.M.P.(MD).No.13805 of 2020**

26.09.2022