



W.P.(MD)No.21375 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2022

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.21375 of 2022

and

W.M.P.(MD)No.15542 of 2022

1. V.Veera Rajendran

2. N.Mahalingam

... Petitioners

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Ellis Nagar,
Madurai.

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Ellis Nagar,
Madurai.

3. The Executive Officer,
Arulmighu Vinayakar Veerapathira Swami Thirukovil,
Samayanallur,
Office at Arulmighu Mathana Gopala Swami Thirukovil,
Mela Masi Veethi,
Madurai.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the first respondent to expedite the enquiry and dispose of the petitioners' representation dated 01.06.2022 in the light of direction given by the first respondent in proceedings in Na.Ka.No.5484/2022/A2, dated 08.06.2022 within a time frame.

For Petitioners : Mr.S.Krishnan

For Respondents : Mr.M.Prakash
Addl. Govt. Pleader for R1 and R2
Mr.S.Manohar for R3

ORDER

This Writ Petition is filed praying for a Mandamus directing the 1st Respondent to expedite the enquiry and dispose of the Petitioners' representation, dated 01.06.2022, in the light of the direction given by the 1st Respondent, vide proceedings in Na.Ka.No.5484/2022/A2, dated 08.06.2022.

2. Mr.M.Prakash, learned Additional Government Pleader takes notice for the Respondents 1 and 2 and Mr.S.Manohar, learned counsel takes notice for the 3rd Respondent.



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3. It is submitted by the learned Additional Government Pleader appearing for the Respondents 1 and 2 that vide proceedings dated 08.06.2022, the Joint Commissioner has directed the 3rd Respondent to enquire/take action and submit a report and that the 3rd Respondent has not submitted any report to the 1st Respondent till date. However, Mr.S.Manohar, learned counsel for the 3rd Respondent would submit that an enquiry was conducted on 27.07.2022 and a report was prepared and forwarded to the 1st Respondent. He further submitted that the copy of the report dated 27.07.2022 was also furnished to the Writ Petitioners.

4. It was submitted by the learned Additional Government Pleader appearing for the respondents 1 and 2 that the representation of the Petitioners dated 01.06.2022 would be considered in accordance with law.

5. Recording the same, this Court is of the view that in the event the 1st Respondent seeks to place reliance on the 3rd Respondent's report, a copy of the same shall be furnished to the Petitioners, if so requested by the Petitioners though it is stated to have been furnished to the Petitioners by



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the 3rd Respondent. Any request for copy of the report shall be made by the Petitioners within a period of two weeks from the date of receipt of a copy of this order and on such request, a copy of the said report shall be furnished to the Petitioners within a period of two weeks thereon. The 1st Respondent shall dispose of the Petitioners' representation, dated 01.06.2022 within a period of four weeks thereafter and if no request for the report is made, the 1st Respondent shall dispose of the representation dated 01.06.2022 within a period of eight weeks from the date of receipt of a copy of this order after giving an opportunity to put forth their case.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

07.09.2022

Index : Yes / No

Speaking Order : Yes / No

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MOHAMMED SHAFFIQ, J.

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