



W.P.(MD)No.23795 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2022

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD).No.23795 of 2022

N.Subramanian

... Petitioner

Vs.

- 1.The District Collector,
Collectorate,
Madurai-625020
- 2.The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowment Department
119,Uthamar Gandhi Salai,
Nungampakkam,
Chennai 600 034
- 3.The Assistant Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowment Department,
B1 Salai, Ellish Nagar,
Opp.Power Distribution Corporation,
Madurai-625016.
- 4.Illayaraja
- 5.Mookkan

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 3 to conduct detailed enquiry based on the representation dated 08.08.2022 within a time frame.



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For Petitioner :Mr.S.Manoj Kumar
For Respondent :Mr.P.Subbaraj
Special Government Pleader for R1 to R3

ORDER

The prayer sought for in this Writ Petition is for a Writ of Mandamus, to direct the Respondents 1 to 3 to conduct detailed enquiry based on the representation dated 08.08.2022

2.It is submitted that the petitioner is residing in Nallur Village, Madurai District. Sri Arulmigu Kanniyaalan Irulappasamy Temple is also situated in the same village. The temple was not maintained properly and is in dilapidated condition. To renovate the temple, a sum of Rs.4,30,000/- was collected from Nalli Kudumbam Vagaiarah. Thiru.Veeranan, Village President, in collusion with R4 and R5, is not permitting collection of donation for renovation work. He had filed W.P.(MD).No18518 of 2021 on 12.10.2021 seeking Police Protection during 12.10.2021 to 20.10.2021 for conducting festival during the month of Puratasai. A Peace Committee meeting was held on 11.10.2021 but no conclusion was arrived. At this



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juncture, it is submitted that the respondents 2 and 3 has sanctioned Rs. 2,00,000/- to respondents 4 and 5 for renovation of the temple on the recommendation of panchayat board stating that respondents 4 and 5 are President and Secretary of the temple. The petitioner has sent a representation dated 08.08.2022, in relation to the sanction of the amount.

3.The learned counsel for the petitioner would submit that there is no reply to the representation dated 08.08.2022 requesting not to sanction amount to respondents 4 and 5, since their intention is to misappropriate temple funds. Hence, he prays to direct the respondents 2 and 3 to conduct detailed enquiry with them in the presence of all parties.

4.Mr.P.Subbaraj, learned Special Government Pleader appearing on behalf of the respondents 1 to 3 submitted that the representation dated 08.08.2022 to the respondents 1 to 3 would be considered on merits and in accordance with law, within a time frame that may be fixed by this Court.



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5.Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of the writ petition there shall be a direction to the respondents 1 to 3 herein to consider the representation of the petitioner, dated 08.08.2022, and conduct detailed enquiry with respondents 4 and 5 after giving reasonable opportunity to all parties concerned and pass appropriate orders on merits and in accordance with law, within period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the respondents to consider the representation and objection on its own merits.

6.With the above direction, the Writ Petition stands disposed of.

No costs.

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Index : Yes / No

Speaking Order : Yes / No

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MOHAMMED SHAFFIQ, J.

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