



W.P.(MD)No.25806 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2022

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.25806 of 2022

R.Rajaram

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Chennai – 600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
B-1 Road, Ellis Nagar,
Madurai – 625 016.

3. V.Balakrishnan,
Chairman Board of Trustees,
Arulmigu Santha Kula Sowmya Narayana Kavaraya Kattalai,
Palani,
Palani Taluk,
Dindigul District.

... Respondents



W.P.(MD)No.25806 of 2022

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st Respondent to take appropriate action as against the 3rd Respondent to prevent further misappropriation and mismanagement in Arulmigu Santhakula Sowmya Narayana Kavaraya Kattalai, situated at Palani, Palani Taluk, Dindigul District, by considering the representation of the Petitioner dated 02.09.2021.

For Petitioner : Mr.C.Guhaseelarupan

For Respondents : Mr.J.Ashok
Addl. Govt. Pleader for R1 and R2

ORDER

This Writ Petition has been filed directing the 1st Respondent to take appropriate action as against the 3rd Respondent to prevent further misappropriation and mismanagement in Arulmigu Santhakula Sowmya Narayana Kavaraya Kattalai, situated at Palani, Palani Taluk, Dindigul District, by considering the representation of the Petitioner dated 02.09.2021.

2. It is submitted that Sri Santhakula Sowmya Narayana Kavaraya Kattalai is a religious institution under the supervisory and administrative control of the Tamil Nadu Hindu Religious and Charitable Endowments



W.P.(MD)No.25806 of 2022

WEB COPY

Department. The above Kattalai was established by the Petitioner's ancestors, who belonged to Kavaraya Naidu Community. The Petitioner was a Trustee and has taken efforts to develop the said Kattalai. He has been resisting the illegalities committed by the 3rd Respondent who is alleged to be mismanaging and misappropriating the said Kattalai's fund. Therefore, the Petitioner has sent a detailed representation on 02.09.2021 to the 1st Respondent to take appropriate departmental action against the 3rd Respondent by virtue of the order passed by the 2nd Respondent in his proceedings in Se.Mu.Na.Ka.7048 of 2018 A4 dated 27.05.2019. Even after receiving the Petitioner's representation by the 1st Respondent, there is no response. Hence, the present Writ Petition.

3. It is submitted by the learned Additional Government Pleader for the Respondents 1 and 2 that the representation of the Petitioner would be considered and orders passed thereon in accordance with law.

4. Heard the learned counsel appearing for the parties and perused the materials placed before this Court.



W.P.(MD)No.25806 of 2022

WEB COPY

5. In view of the above submission and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the 1st Respondent to consider the Petitioner's representation dated 02.09.2021, on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order after granting opportunity to the Petitioner and also putting all interested parties on notice. It is made clear that this Court has not expressed any view with regard to the merits of the representation and it is open to the 1st Respondent to consider the representation on its own merits.

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

No costs.

15.112022

Index : Yes / No

Speaking Order : Yes / No

vji



W.P.(MD)No.25806 of 2022

WEB COPY

To

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Chennai – 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
B-1 Road, Ellis Nagar,
Madurai – 625 016.
3. The Chairman Board of Trustees,
Arulmigu Santha Kula Sowmya Narayana Kavaraya Kattalai,
Palani,
Palani Taluk,
Dindigul District.



WEB COPY



W.P.(MD)No.25806 of 2022

MOHAMMED SHAFFIQ, J.

vji

W.P.(MD)No.25806 of 2022

15.11.2022