



WEB COPY



W.P.No.20211 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.No.20211 of 2023

and

WMP.No.19532 of 2023

Arulmigu Shri Navasakthi Vinayagar Temple
Represented by its Hereditary Trustee
Kamalakanna
Priya Nagar-I, Urupakkam
Vandalur Taluk
Chengalpattu District 603 210.

...Petitioner

Vs.

- 1.The Commissioner
Hindu Religious & Charitable Endowment Department
Nungambakkam, Chennai.
- 2.The Assistant Commissioner
Hindu Religious & Charitable Endowment Department
Chengalpattu.
- 3.The Inspector
Hindu Religious & Charitable Endowment Department
West Tambaram, Chennai.
- 4.Kavitha

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents 1 to 3 from conducting inspection or issuing notice to the petitioner temple at the instigation of the fourth respondent based on the representation dated 20.09.2023.

For Petitioner : Mr.G.Vinodhkumar

For Respondents : Mr.S.Yashvanth for R1 to R3
Additional Government Pleader
(HR&CE)

ORDER

The petitioner herein seeks a Writ of Mandamus, forbearing the respondents 1 to 3 from conducting inspection or issuing notice to the petitioner temple at the instigation of the fourth respondent based on the representation dated 20.03.2023.

2. The petitioner herein claims himself as hereditary trustee of Arulmigu Shri Navasakthi Vinayagar Temple, Priya Nagar-I, Urapakkam, Vandalur Taluk, Chengalpattu District. The said temple was established by the forefathers of Priya Nagar residents Urapakkam, during the year 1988 and the same is administrated by the general public living in Priya Nagar.



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3. The petitioner also makes certain allegations of misappropriation against the fourth respondent. It is also stated by the petitioner that the fourth respondent filed a Writ Petition before this Court in W.P.No.33516 of 2022 seeking directions to the respondents 1 to 3 to take over control of the management of the temple. When the said Writ Petition came up for hearing, it was reported on behalf of the respondents 1 to 3 that they would conduct inspection of the temple affairs and an action would be taken based on the inspection report dated 13.12.2022. This Court recording the said submission directed the authorities to take action based on the inspection report submitted by the third respondent.

4. Mr.S.Yashvanth, learned Additional Government Pleader who takes notice for the respondents 1 to 3 submitted that the inspection report of the third respondent was submitted to the second respondent and after perusal of the same, the second respondent submitted his proposal to the first respondent and the same is pending before the first respondent for passing final orders.



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5. The petitioner is seeking a Writ of Mandamus, forbearing the respondents 1 to 3 from conducting inspection or issuing notice to the petitioner in respect of the temple affairs. Such omnibus prayer is not at all maintainable and therefore, this Court is not inclined to entertain the prayer in this Writ Petition.

6. However, in the light of the submission made by the learned Additional Government Pleader appearing for the respondents 1 to 3, the first respondent is directed to pass final orders in the proposal submitted by the second respondent, after issuing notice to the petitioner and the fourth respondent within a period of 8 weeks from the date of receipt of copy of this order.

7. Accordingly, with these directions, this Writ Petition is disposed. No costs.

10.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna



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To

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