



WEB COPY



Writ Petition No.15783 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

Writ Petition No. 15783 of 2023

K.C.Ravi

...Petitioner

Vs

1. The Joint Commissioner,
Hindu Charitable Endowment Dept,
HR & CE, A.K.Thangavelar Street,
Near Rangasamy Kulam, Kancheepuram – 631 501.

2. The Inspector,
Hindu Charitable Endowment Dept,
HR & CE, Sriperumbudur,
Sriperumbudur, Kancheepuram District – 602 105.

3. The Executive Officer (HR & CE),
Arulmigu Agastheeswarar,
Karimanikka Perumal Temple, Kolappakkam – 600 128.

4.B.Elango

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to consider the representation dated 06.01.2022 and consequently direct the respondents 1 to 3 to take all due and necessary steps to secure and protect the interest of Arulmigu Agastheeswarar Kariamanikka Perumal Temple, situated at Kolapakkam Village, Kancheepuram District and its properties.



WEB COPY



Writ Petition No.15783 of 2023

For Petitioner : Mr.D.Vijayan

For Respondents : Mr.K.Karthikeyan
Government Advocate HR & CE
for R1 to R3

ORDER

The writ petitioner seeks a direction to the first respondent to consider his representation dated 06.01.2022 and pass appropriate orders in accordance with law.

2. According to the writ petitioner, the Arulmigu Agastheeshwarar Kariamannikka Perumal Temple is situated at Kolappakkam Village, Kancheepuram District. It is also stated by the petitioner that earlier the Hereditary Trustee was suspended and a fit person was appointed on 27.03.2014 by the Joint Commissioner, Kancheepuram. Subsequently, the suspension order passed against the Hereditary Trustee was revoked and he was appointed again as Hereditary Trustee under Section 54(1) of the HR & CE Act by Joint Commissioner, Vellore, by order dated 15.10.2015.



3. It is the case of the petitioner that challenging the said order, he filed the revision petition before the Commissioner, seeking to set aside the same. Since, there was a delay in filing the revision petition and it was not taken into consideration, however, the Commissioner has taken a *suo moto* revision in No.1/2018/D-2 and set aside the order passed by the Joint Commissioner and remanded the matter to the file of first respondent with direction to pass final orders in the disciplinary proceedings initiated against the petitioner.

4. Though the remand order was passed on 26.09.2019 till date the enquiry against the Hereditary Trustee has not been completed by the first respondent. Therefore, the petitioner made a representation to the first respondent on 06.01.2022, requesting him to complete the enquiry and pass final orders. However, the said representation was not considered and consequently, present writ petition is filed seeking a direction to the first respondent to complete the disciplinary proceedings against the Hereditary Trustee and pass final orders.



Writ Petition No.15783 of 2023

5. In view of limited prayer made in the writ petition, this Court is inclined to direct the 1st respondent to dispose the petitioner's representation within a time frame.

6. The first respondent is directed to complete the disciplinary proceedings against the Hereditary Trustee of the Arulmigu Agastheeshwarar Kariamanikka Perumal Temple by affording an opportunity to the Trustee as well as petitioner and pass final orders within a period of three months from the date of receipt of a copy of this order.

7. With these observations, the writ petition is disposed of. No costs.

03.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
ub



WEB COPY



Writ Petition No.15783 of 2023

To

1. The Joint Commissioner,
Hindu Charitable Endowment Dept,
HR & CE, A.K.Thangavelar Street,
Near Rangasamy Kulam, Kancheepuram – 631 501.
2. The Inspector,
Hindu Charitable Endowment Dept,
HR & CE, Sriperumbudur,
Sriperumbudur, Kancheepuram District – 602 105.
3. The Executive Officer (HR & CE),
Arulmigu Agastheeswarar,
Karimanikka Perumal Temple, Kolappakkam – 600 128.



WEB COPY



Writ Petition No.15783 of 2023

S.SOUNTHAR, J.

ub

W.P.No. 15783 of 2023

03.07.2023