



WEB COPY



W.P.No.20486 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.20486 of 2023

and

WMP.No.19880 of 2023

E.S.Ramachandran

...Petitioner

Vs.

- 1.The Commissioner
Hindu Religious and Charitable
Endowment Department
Nungambakkam
Chennai 34.
- 2.The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
Vellore.
- 3.The Assistant Commissioner
Hindu Religious and Charitable
Endowment Department
Thiruvallur.
- 4.Mr.CAMOO CHETTIYAR
Trustee of Arulmigu Ellaiamman Temple
16/33, Dhanalakshmi Avenue
Kasthuribai Nagar
Adayar, Chennai 20.



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5.The Executive Officer
Hindu Religious and Charitable
Endowment Department
Balasubramanian Koil
Ponneri.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent herein to take action and make an enquiry against the fourth respondent herein and prevent the fourth respondent his men agents or servants or anybody from misusing of the income, revenue of the Arulmigu Ellaiaimman Temple, Puthu Gummudipoondi Village, Gummudipoondi Circle, Thiruallur District 601 201 and enroute the entire income and revenue generate on the temple property, fee paid in connection with the auspicious functions by the Villagers, public contributions into the account of the Arulmigu Ellaiaimman Temple Puthu Gummudipoondi Village, Gummudipoondi Circle, Thiruvallur District 601 201.

For Petitioner : Mr.S.Kingston Jerold

For Respondents : Mr.K.Karthikeyan
Government Advocate
for R1, R2 R3 & R5



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ORDER

The petitioner herein seeks a direction to the official respondents

1 to 3 to take action against the fourth respondent/trustee of the Arulmigu Ellaiamman Temple Puthu Gummudipoondi Village, Gummudipoondi Circle, Thiruvallur District, based on the complaint made by him.

2. The fourth respondent herein is the trustee of the Arulmigu Ellaiamman Temple Puthu Gummudipoondi Village, Gummudipoondi Circle, Thiruvallur District. According to the petitioner, the fourth respondent trustee indulged in misappropriation of funds against the interest of temple. The petitioner made a complaint to the respondents 2 & 3 on 12.08.2022 making certain allegations of misappropriation of funds against the fourth respondent.

3. The grievance of the petitioner is that the official respondents did not take any action against the fourth respondent based on the complaint preferred by the petitioner.

4. Mr.K.Karthikeyan, learned Government Advocate takes notice for the respondents 1, 2, 3 and 5 and on instructions submitted that enquiry



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was conducted on the complaint made by the petitioner on 12.08.2022.

However, the fourth respondent failed to appear. The learned Government Advocate further submitted that the enquiry is still pending and no final order has been passed.

5. In view of the limited prayer made in this Writ Petition, without expressing any opinion on the merits of the case, this Court is inclined to issue a direction to the second respondent to consider the representation of the petitioner dated 12.08.2022 and pass final orders, after issuing notice to the petitioner and the fourth respondent, on merits and in accordance with law, within a period of 8 weeks from the date of receipt of copy of this order.

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

12.07.2023

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



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