



W.P.No.23408 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.23408 of 2023

Padmarajan

Vs.

.. Petitioner

1. The Commissioner
Hindu Religious and Charitable
Endowments Department
Ramakrishna Mutt Road
Mylapore, Chennai.

2. The Inspector of Police
J-7, Velachery Police Station
Velachery
Chennai 600 042.

3. Thiyagarajan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the first respondent to consider the representation made by the petitioner dated 25.06.223 and to take the temple within the purview of the Hindu Religious and Charitable Endowment Department and to maintain the same.



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For the Petitioner : Mr.S.Thiruvengadam

For the Respondents : Mr.N.R.R.Arun Natarajan
Special Government Pleader
(HR & CE)
for Respondent-1

Mr.R.Muniyapparaj
Additional Public Prosecutor
Assisted by
Mr.M.Sylvester John
Government Advocate
(Crl.Side)
for Respondent-2

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.S.Thiruvengadam, learned counsel for the petitioner, Mr.N.R.R.Arun Natarajan, Special Government Pleader for the first respondent and Mr.R.Muniyapparaj, learned Additional Public Prosecutor, assisted by Mr.M.Sylvester John, learned Government Advocate for the second respondent.

2. Learned counsel for the petitioner submits that the third respondent is misappropriating the amount. The amount is collected



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in the name of the temple and the same is misused by the third respondent.

3. Unless specific instances are given, we cannot pass a positive order.

4. It is further contended that the temple is 300 years old and there are no proper trustees in the temple.

5. According to learned Additional Public Prosecutor, there are rival groups having adverse interest against each other.

6. As there is no material on record, we refrain from passing any order. However, representation has been given to the first respondent on 25.06.2023. The first respondent may consider the said representation, of course, after adhering to the principles of natural justice and also giving notice to the parties against whom allegation is made. The first respondent should consider the stand of all the parties and decision on the representation be taken



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expeditiously, preferably within six months from the date of receipt of a copy of this order.

7. The writ petition is disposed of. There will be no order as to costs. Consequently, W.M.P.No.22945 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

09.08.2023

Index : Yes/No
Neutral Citation : Yes/No

kpl

To

1. The Commissioner
Hindu Religious and Charitable
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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU, J.

(kpl)

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