



WEB COPY

W.P. No.25329 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN
and
THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.P. No.25329 of 2023

V. Krishnamurthi

Petitioner

v

1 The Commissioner of Hindu Religious &
Charitable Endowment Department
Nungambakkam
Chennai

2 The Joint Commissioner
Hindu Religious &
Charitable Endowment Department
Villupuram

3 The Executive Officer
Ayyanarappam Temple
Konjikuppam
Panruti Taluk
Cuddalore District

4 Selvaraj

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the first respondent to constitute a committee for the administration of Ayyanarappan Temple situated at Konjikuppam, Panruti Taluk in Cuddalore District, by considering the petitioner's representation dated 01.12.2021 within a stipulated period.



ORDER

(made by S. VAIDYANATHAN, J.)

WEB COPY

This writ petition has been filed seeking a writ of mandamus directing the first respondent to constitute a committee for the administration of Ayyanarappan Temple situated at Konjikuppam, Panruti Taluk in Cuddalore District, by considering the petitioner's representation dated 01.12.2021 within a stipulated period.

2 The petitioner's case in a nutshell is as under:

2.1 The temple in question is Ayyanarappan Temple in Konjikuppam Village, Panruti Taluk, Cuddalore District. The said temple comes under the control of the H.R. & C.E. Department. The petitioner is one of the devotees of the said temple. The fourth respondent, claiming to be the Hereditary Trustee of the said temple, in collusion with the Executive Officer of the temple, who is the third respondent herein, has been misappropriating the temple money received in the form of collection/donation.

2.2 Aggrieved thereby, one Kannan Govindarajulu, finding no response to his complaints to the H.R. & C.E. Department, filed a writ petition being W.P. No.7195 of 2014, in which, this Court, *vide* order dated 12.03.2014, directed the Commissioner of the H.R. & C.E. Department, the



WEB COPY

2.3 Since the aforesaid direction of this Court has not been strictly followed, after addressing a representation dated 01.12.2021 and finding no response thereto, the petitioner has preferred this writ petition seeking the relief stated in the opening paragraph.

3 Concededly, a Hereditary Trustee has been appointed for managing the affairs of the temple and seemingly, his appointment has not been challenged. That apart, pursuant to the order dated 12.03.2014 passed by this Court in W.P. No.7195 of 2014 referred to above, the Commissioner, H.R. & C.E., has passed an order on 14.07.2014 on the complaints dated 27.04.2013 and 30.10.2013 made by the said Kannan Govindarajulu. The said order is found in page 19 of the typed set of papers filed along with this writ petition. A perusal of the said order clearly shows that the complaints made by Kannan Govindarajulu and the statement given by the Hereditary Trustee, viz., the fourth respondent, have been considered by the authority threadbare before issuing a slew of directions for the better administration of the temple. We do not know as to whether the said order of the Commissioner has been appealed against by Kannan Govindarajulu.

4 Thus, when the so-called misappropriation of temple funds had been brought to the notice of this Court and this Court had also directed the authority concerned to take appropriate action and the authority had also



passed orders, we are of the view that the petitioner, for his part, cannot address a representation and seek disposal of the same by means of an innocuous prayer, thereby stalling the entire administration of the temple. Needless to state, the order dated 14.07.2014 passed by the Commissioner can be appealed against and it is for the authorities to consider the appeal in accordance with law.

With the above direction, this writ petition stands disposed of. Costs made easy. Since no order prejudicial to the interest of the fourth respondent is passed, we have dispensed with notice to him.

(S.V.N., J.) (K.R.S., J.)
28.08.2023

cad



WEB COPY

- To
- 1 The Commissioner of Hindu Religious &
Charitable Endowment Department
Nungambakkam
Chennai
 - 2 The Joint Commissioner
Hindu Religious &
Charitable Endowment Department
Villupuram
 - 3 The Executive Officer
Ayyanarappam Temple
Konjikuppam
Panruti Taluk
Cuddalore District



WEB COPY

W.P. No.25329 of 2023



S. VAIDYANATHAN, J.
and
K. RAJASEKAR., J.

cad

W.P. No.25329 of 2023

28.08.2023