



WEB COPY



W.P.No.34066 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.34066 of 2022

M.Padmanaban

... Petitioner

Vs.

The Commissioner
Hindu Religious and Charitable
Endowments Department
119, Uthamagandhi road
Nungambakkam,
Chennai-34

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondent herein to consider the petitioner's representation dated 03.11.2022 and consequently direct the respondent to appoint the Executive Officer to Sri Akasa Mariamman Temple Natchiyarkoil Village Kumbakonam Taluk Thanjavur District as per the recommendation made by the Joint Commissioner Mayaladuthurai by his proceedings in Na. Ka. No. 57 / 2022 / E1 dated 14.07.2022.

For Petitioner : Mr.M.Ganesh

For Respondents : Mr.M.Bindran, AGP



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ORDER

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This writ petition has been filed to direct the respondent herein to consider the petitioner's representation dated 03.11.2022 and consequently direct the respondent to appoint the Executive Officer to Sri Akasa Mariamman Temple Natchiyarkoil Village Kumbakonam Taluk Thanjavur District as per the recommendation made by the Joint Commissioner Mayaladuthurai by his proceedings in Na. Ka. No. 57 / 2022 / E1 dated 14.07.2022.

2. The main grievance of the petitioner is that the Joint Commissioner on 14.07.2022 has found out certain irregularities and maladministration by the existing trustees. Therefore, he recommended to the Commissioner for appointment of the Executive Officer. Despite the same, the Executive Officer is not been appointed. Therefore, the petitioner gave a representation which was not considered by the Commissioner, hence the present Writ Petition.

3. Learned counsel appearing for the respondent on instructions submitted that the Commissioner has passed an final order on 10.11.2022.



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The report of the Joint Commissioner dated 14.07.2022 also properly considered. Accordingly, the explanation of the Trustee as pointed out by the Joint commissioner is accepted and the direction has been issued.

4. In such view of the matter as the final orders has already been passed, the Commissioner himself has accepted the explanation and decides to drop the proceedings. As a matter of right, there cannot be a direction once again to the Commissioner to consider the representation of the petitioner.

Writ Petition is dismissed. No Costs.

06.01.2023

kpr
Index:Yes/No
Speaking/Non-speaking order
Neutral citation:Yes/No

To
The Commissioner
Hindu Religious and Charitable
Endowments Department
119, Uthamagandhi road
Nungambakkam,
Chennai-34



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N. SATHISH KUMAR, J.

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