



WEB COPY

W.P.(MD)No.4520 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2023

CORAM:

**THE HON'BLE MR.T.RAJA, THE ACTING CHIEF JUSTICE
and
THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR**

W.P.(MD)No.4520 of 2023

A.Vijayalakshmi

... Petitioner

-VS-

1.The Commissioner,
Hindu Religious and Charitable Endowments,
No.119, Uthamar Gandhi Salai,
Aayiram Vilakku West,
Nugampakkam,
Chennai – 600 034.

2.The Assistant Commissioner,
Office of the Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Tirunelveli – 627 002.

3.The Joint Director,
Office of the Joint Commissioner,
Hindu Religious and Charitable Endowments,
Palayamkottai,
Tirunelveli – 627 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to enquire into the misappropriation of the funds of Shri Uchinimakali Amman Kovil at Kuruchi, Melapalayam,



Tirunelveli District and to take action on the basis of the petitioner's representation, dated 18.02.2023.

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For Petitioner : Mr.S.M.Mohan Gandhi
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

**[Order of the Court was made by
The Hon'ble The ACTING CHIEF JUSTICE]**

This Writ Petition has been filed by A.Vijayalakshmi for issuance of a Writ of Mandamus, directing the respondents to enquire into the misappropriation of the funds of Shri Uchinimakali Amman Kovil at Kuruchi, Melapalayam, Tirunelveli District and to take action on the basis of the petitioner's representation, dated 18.02.2023.

2.Mr.P.Subbaraj, learned Special Government Pleader takes notice for the respondents.

3.Learned counsel appearing for the petitioner submitted that the petitioner is a resident of No.18, Poosthi Lane, Aandavar 2nd Street, Kuruchi, Melapalayam, Tirunelveli and in the



year 2019, the Village people decided to construct a new building for the Shri Uchinimakali Amman Temple and they also resolved to conduct Kumbabishekam for the said Temple. A sum of Rs.62,00,000/- was collected for the said purpose. The petitioner was also one among the donor, donated a sum of Rs.40,000/- and in addition, she has also paid a sum of Rs.4,000/- as a Kodai Tax twice, but the said funds collected from the petitioner and others were not properly utilised and it has been misappropriated. The petitioner has submitted a representation to the respondents on 18.02.2023 to enquire into the said misappropriation of the funds and also to take appropriate action, but no action has been taken. Hence, the petitioner has been advised to come to this Court.

4.At this stage, Mr.P.Subbaraj, learned Special Government Pleader appearing for the respondents submitted that the said Temple is falling within the scope of the Hindu Religious and Charitable Endowments and taking note of the request made by the petitioner in the representation, dated 18.02.2023, has ordered for inspection. In support of his contention, he also placed before this Court, the communication in Na.Ka.No.1175/2023, dated 02.03.2023 issued by the second respondent, ordering



enquiry and after receipt of enquiry report, it will be communicated to the petitioner.

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5. Therefore, since the relief sought for has already been granted, nothing survives for further adjudication in this Writ Petition and hence, this Writ Petition is dismissed as infructuous. No costs.

[T.R., A.C.J.] [D.K.K., J.]
03.03.2023

NCC : Yes / No
Index : Yes / No
Internet: Yes
ps



W.P.(MD)No.4520 of 2021



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To

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W.P.(MD)No.4520 of 2023:

T.RAJA, A.C.J.

and

D.KRISHNAKUMAR, J.

ps

ORDER MADE IN
W.P.(MD)No.4520 of 2023

DATED : 03.03.2023