



W.P.(MD)No.12449 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.12449 of 2021

P.Murugan

... Petitioner

-VS-

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai-600 034.
- 2.The District Collector,
District Collectorate Campus,
Madurai District.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Combined Building,
H306 TNHB Colony, Ellis Nagar, Madurai-625016.
- 4.The District Revenue Officer,
Madurai, Madurai District.
- 5.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Combined Building,
H306, TNHB Colony, Ellis Nagar, Madurai-625016.



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6.The Tahsildar,
Thirumangalam Taluk, Madurai District.

7.The Inspector,
Hindu Religious and Charitable Endowments Department,
Combined Building,
H306, TNHB Colony, Ellis Nagar, Madurai-625016.

8.V.Muthukaruppathevar

9. V.P.Ganesan

10.V.P.Palsamy

11.V.P.Karuppaiah ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 18.06.2021 and to initiate legal action.

For Petitioner : Mr.C.M.Arumugam

For R1 to R7 : Mr.N.Ramesh Arumugam
Government Advocate

For R8 & R9 : No Appearance

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the first respondent to consider the representation made by the petitioner on 18.06.2021 and to initiate action against the respondents 8 to 11.

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2. Heard Mr.C.M.Arumugam, learned counsel appearing on behalf of the petitioner and Mr.N.Ramesh Arumugam, learned Government Advocate appearing on behalf of the respondents 1 to 7. The private respondents 8 and 9 have been served with notice and their names have also been printed in the cause list. However, there is no representation on their behalf.

3. The case of the petitioner is that Sri Ucha Maakaliyamman, Sri Sangili Karuppasamy and Maaranadu Sri Karuppasamy Temples belong to the community with 115 Pangalis. According to the petitioner, all of them have contributed for the same. Immovable properties were purchased for the Temples based on the contribution made by 115 Pangalis. According to the petitioner, he had collected and contributed nearly Rs.15,00,000/- for the Temples.

4. The main allegation that has been made by the petitioner against the private respondents is that they had misappropriated nearly Rs.25,00,000/- in the name of collection of donation in the name of the Temples. They also have not submitted any accounts. The private respondents also attempted to construct a Tower to the Temples and for that, they once again started collecting donation.



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5. In view of the above, the petitioner is alleging that the private respondents are engaged in collecting money and misappropriated the same in the name of the Temples and therefore, the petitioner made a representation in this regard before the first respondent on 18.06.2021 to initiate action. Since the representation did not evoke any response, the present Writ Petition has been filed before this Court.

6. Taking into consideration the facts and circumstances of the case and also considering the limited relief sought for by the petitioner, there shall be a direction to the first respondent to deal with the representation made by the petitioner on 18.06.2021, on its own merits and in accordance with law. The first respondent shall direct the concerned Joint Commissioner to conduct an enquiry by issuing notice to all the interested persons and based on the report submitted by the Joint Commissioner, the first respondent shall proceed further to deal with the representation made by the petitioner. This process shall be completed within a period of four months from the date of receipt of a copy of this order.



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7. This Writ Petition is disposed of with the above directions. No costs.

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NCC : Yes/No
Index : Yes/No
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