



W.P.(MD).No.15933 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.15933 of 2023

P.Sivasankaran Pillai

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Virudhunagar.

3.The Inspector,
Hindu Religious and Charitable Endowments Department,
Srivilliputhur.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to consider the representation dated 10.06.2023 of the petitioner herein.

For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.S.Kameswaran,
Government Advocate.



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ORDER

This Writ Petition is filed for Mandamus, directing the respondents to consider the petitioner's representation dated 10.06.2023.

2. The contention of the petitioner is that a fraud has been committed by the persons who claim trusteeship and based on such documents, the authorities also have yielded to their pressure to appoint trustees. However, there are several discrepancies in the said documents. One such discrepancy that was pointed out by the petitioner is that there are 700 persons who have submitted their applications for trusteeship, but only 428 Adhaar cards are available on record to support their claims. Even in the available Adhaar cards, the persons aged about 9, 12, 14 and 15 years are shown as applicants. Therefore, the petitioner is of the apprehension that the trusteeship is not formed properly and the same is illegal. Therefore, he prayed to direct the first respondent to conduct an enquiry.

3. On receipt of the said representation, the first respondent, in turn, has directed the petitioner to prefer a criminal complaint.



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4. Both the petitioner and first respondent cannot evade their responsibility. Therefore, the first respondent is directed to conduct an enquiry based on the allegations submitted by the petitioner in his representation dated 10.06.2023. The said enquiry shall be concluded within a period of six (6) months from the date of receipt of a copy of this order. The petitioner is directed to file a criminal complaint to the appropriate jurisdictional Police Station within a period of four (4) weeks from the date of receipt of the copy of the order.

5. In view of the above, this Writ Petition is allowed in above terms.
There shall be no order as to costs.

03.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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S.SRIMATHY, J.

Nsr

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