



W.P.(MD).No.20473 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.20473 of 2023

and

W.M.P.(MD)No.16925 of 2023

Chinnasamy

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department,
Dindigul District.

2.Chelladurai

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned proceedings in O.A.No.3 of 2023/Aa3, dated 28.07.2023, passed by the 1st respondent and to quash the same as illegal.

For Petitioner	: Mr.J.Balameenakshi
For R1	: Mr.S.P.Maharajan
	Special Government Pleader
For R2	: Mr.D.Venkatesh

ORDER

This writ petition has been filed for Writ of Certiorari, to quash the impugned proceedings dated 28.07.2023 passed in O.A.No.3 of 2023/Aa3 by



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the 1st respondent.

2. The petitioner claims to be a villager in Ottanchathiram Taluk.

There are allegations against the 2nd respondent's brother that he had stolen the crown of the temple which is worth about Rs.30,000/-. While that being so, the 2nd respondent has filed a petition under Section 63(e) to grant poojariship to the 2nd respondent. In order to consider the claim of the 2nd respondent, the 1st respondent has directed the Inspector of HR and CE Department to conduct an enquiry and submit a report vide communication dated 28.07.2023, which the petitioner has challenged in the present writ petition.

3. Admittedly, it is a direction to the Inspector of HR and CE Department to conduct an enquiry and submit a report and such direction to conduct enquiry cannot be a cause of action to file this writ petition. The petitioner is trying to interfere in the enquiry proceedings. The petitioner is trying to interfere with the statutory duty of the 1st respondent, since the 1st respondent is duty bound to consider the application filed under Section 63(e). Hence the plea of the petitioner cannot be entertained. The authorities shall proceed with the enquiry and complete it at the earliest. Hence, the writ



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petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

23.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Tmg

To

The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department,
Dindigul District.



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S.SRIMATHY, J.

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