



W.P.No.2526 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.2526 of 2020
and W.M.P.No.2941 of 2020**

G.Radhakrishnan

... Petitioner

Vs.

1. The Principal Secretary to Government (FAC),
Tourism, Culture and Religious Endowments Department,
Secretariat, Chennai-600 009.

2.The Commissioner,
Hindu Religious Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai, Tamil Nadu-600 034.

3.The Chief Auditor,
Hindu Religious Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai,
Tamil Nadu-600 034.



W.P.No.2526 of 2020

4. Nandakumar,

Assistant Commissioner,

Hindu Religious Charitable Endowments Department,
Jawans Bhavan, Erode, Erode District.

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings in Na.Ka.No.1873/2019/J2(1) dated 29.11.2019 on the file of the third respondent, quash the same, consequently direct the second respondent to initiate appropriate action by ordering re-auditing of income and expenditure for the year 2015-2016 of the funds of Arulmighu Aranganathaswamy Temple situated at Karamadai, Mettupalayam, Mettupalayam Taluk, Coimbatore District, based on the representation dated 13.12.2019 of the petitioner.

For Petitioner : Mr.C.D.Sugumar

For Respondents : Mr.K.Ganesan for R4
Mr.K.Karthikeyan
Government Advocate
(HR & CE)
for R1 to R3

ORDER

This Writ Petition has been filed challenging the proceedings dated 29.11.2019 issued by the third respondent dated 29.11.2019 and for a consequential direction to the second respondent to initiate appropriate action by ordering re-auditing of income and expenditure for the year 2015-



W.P.No.2526 of 2020

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2016 of the funds of Arulmighu Aranganathaswamy Temple situated at Karamadai, Mettupalayam Taluk, Coimbatore District, based on the representation dated 13.12.2019 of the petitioner.

2. The facts of the case are that the petitioner is a devotee of Arulmighu Aranganathaswamy Temple situated at Karamadai, Mettupalayam Taluk, Coimbatore District. The fourth respondent was the Executive Officer in the said Temple during the year 2015-2016. The petitioner made an application dated 01.04.2019 to the Joint Commissioner, HR & CE Board, Coimbatore, under the Right to Information Act seeking certain information with regard to tender process carried out by the fourth respondent and the petitioner obtained an information that a tender was floated for ornamenting front portion of Aandal Sannadhi and stone pillars in Prahara Mandapam of the said Temple, at the estimated cost of Rs.4,10,000/- and one C.D.Mariappan participated in the tender process and succeeded in the bidding for a sum of Rs.3,47,743/-. However, all the works stated in the said tender had already been completed by collecting huge



W.P.No.2526 of 2020

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monetary contributions of the patrons of the Temple in May 2015 itself and the consecration of the aforesaid Temple was conducted on 07.06.2015, but the respondent No.4 has issued tender for the work which has already been completed and not issued any receipts for the donations received from the worshippers of the Temple and had misappropriated the funds belonging to the Temple. Therefore, the petitioner has made a representation dated 28.06.2019 to the third respondent along with the complaints given by the persons, who have given donations and not received any receipts for such donations. Since no action was taken, the petitioner has approached this Court by way of a Writ Petition in W.P.No.21635 of 2019, seeking a direction to dispose of his representation dated 28.06.2019, wherein, he made certain allegations against the respondent No.4 in matter of misappropriating temple funds, which came to be disposed of by this Court vide order dated 24.07.2019. Pursuant to the same, the respondents had considered the representation of the petitioner dated 28.06.2019 and disposed of the same vide the impugned order dated 29.11.2019. Aggrieved over the same, the present writ petition has been filed by the petitioner



W.P.No.2526 of 2020

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herein praying to re-audit the accounts of the temple once again, based on the representation dated 13.12.2019 of the writ petitioner.

3. When this Writ Petition is taken up for hearing, the learned Government Advocate for the respondents 1 to 3 would submit that pending disposal of the Writ Petition, the respondent No.2 considered the representation of the petitioner dated 13-12-2019 and has directed the Regional Audit Officers, H.R &.C.E Department, Tiruchirappalli and Madurai and the Joint Commissioner, H.R &.C.E Admn Department, Coimbatore to conduct re-audit of the accounts of the said temple vide R.C.No.6389/2020/N6 dated 06.08.2021 and the Audit Officials also conducted the re-audit from 25.08.2021 to 17.09.2021 for the Fasli 1416-1430 and submitted the re-audit report directly to the respondent No.2 vide Madurai (South) Regional Audit Officer letter R.C.No. 321/2021/dated 2.11.2021. The said report has been forwarded to the Joint Commissioner, HR&CE Department, Coimbatore to take appropriate action thereon.



W.P.No.2526 of 2020

WEB COPY

4. Therefore, the learned Government Advocate would submit that since the representation dated 29.11.2019 has been considered by the respondent, nothing survives in the present Writ Petition and he sought for dismissal of the writ petition.

5. In view of the above, re-audit having already been conducted, the relief sought for in the Writ Petition has become infructuous. Accordingly, this Writ Petition is dismissed. However, the petitioner is at liberty to challenge the outcome of the action taken (if any) by the Joint Commissioner, HR&CE Department, if he is so aggrieved. There shall be no order as to costs. Connected miscellaneous petition is closed.

03.10.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
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W.P.No.2526 of 2020

WEB COPY

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W.P.No.2526 of 2020

M.DHANDAPANI, J.

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W.P.No.2526 of 2020

03.10.2024