



W.P. No.22506 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2024

CORAM:

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.22506 of 2018

and

W.M.P. Nos.26365 and 26366 of 2018

N. Vedamurthy

... Petitioner

Versus

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam,
Chennai – 600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Vellore.

3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Kancheepuram.

4. The Inspector,
Hindu Religious and Charitable
Endowments Department,
Office at Sri Sakthi Vinayagar Temple,
Chengalpattu,
Kancheepuram District.



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5. Sri Sivasakthi Trust,
Rep. by its Secretary,
Plot No.80, Sri Karpagambal Nagar,
Nandhivaram, Guduvanchery,
Kanchipuram District – 603 202.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the 1st respondent to consider and pass orders on the petitioner's representation dated 25.06.2018.

For Petitioner	: Mr. S.V. Karthikeyan
For Respondents	: Mr.K. Karthikeyan, Government Advocate (HR & CE) for R1 to R4 Mr.N. Sivaprakash for R5

ORDER

The prayer sought for in this writ petition is for a direction to the 1st respondent to consider and pass orders on the petitioner's representation, dated 25.06.2018.

2. It is stated that the petitioner is a devotee of Arulmighu Karpaga Vinayagar Temple and the said temple was managed by the 5th respondent Trust. It is the grievance of the petitioner that the 5th respondent Trust is claiming exclusive right over the temple and the income of the temple is diverted to the 5th respondent Trust. In such circumstances, he submitted representations to the respondents 1 to 4 and sought for necessary action in respect of the income of the temple. Pursuant to which, the respondents



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conducted an enquiry and submitted a report to the 1st respondent for appointment of a Thakkar for better administration of the temple. Since the issue is pending, he submitted several representations to the 1st respondent, but till date, no effective steps were taken. Therefore, this writ petition has been filed with the aforesaid prayer.

3. Learned counsel for the petitioner submitted that it would suffice, if this Court issues a direction to the official respondents to consider the petitioner's representation, dated 25.06.2018 as well as for appropriate directions in the above regard.

4. Mr.K. Karthikeyan, learned Government Advocate (HR & CE) appearing for the respondents 1 to 4, on instructions submitted that earlier, the 3rd respondent has conducted an enquiry and submitted a report in this regard. Now, the jurisdiction is vested with the Assistant Commissioner, Chenglepet and hence, the petitioner may be directed to submit a fresh representation to the Assistant Commissioner (HR & CE), Chenglepet in this regard and the same would be considered in accordance with law, within the stipulated time fixed by this Court.

5. Having regard to the submissions made by the learned counsel on either side, without going into the merits of the case, this Court directs the petitioner to submit a fresh representation, along with a copy of this order



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to the Assistant Commissioner (HR & CE), Chenglepet, as well as to the official respondents, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the official respondents shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter.

6. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes / No
Internet: Yes/No
Speaking Order/Non-Speaking Order
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To
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Nungambakkam,
Chennai – 600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Vellore.

3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Kancheepuram.

<https://www.mhc.tn.gov.in/judis>



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4. The Inspector,
Hindu Religious and Charitable
Endowments Department,
Office at Sri Sakthi Vinayagar Temple,
Chengalpattu,
Kancheepuram District.

5. The Secretary,
Sri Sivasakthi Trust,
Plot No.80, Sri Karpagambal Nagar,
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