



WEB COPY



W.P.No.22355 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.22355 of 2024

Manimegalai

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious & Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam High Road,
Nungambakkam, Chennai – 600 034.

2.The Joint Commissioner,
Office of the Hindu Religious & Charitable Endowments Department,
Erode – I.

3.S.Krishnamurthy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 10.09.2023 which was forwarded by the first respondent and conduct and enquiry against the third respondent.

For Petitioner : Mr.U.Gowrishankar

For Respondents : Mr.K.Karthikeyan
Government Advocate [R1 & R2]



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ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the 2nd respondent to consider the petitioner's representation dated 10.09.2023 which was forwarded by the 1st respondent and conduct and enquiry against the 3rd respondent.

2. Mr.K.Karthikeyan, learned Government Advocate, accepts notice on behalf of the respondents 1 and 2. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. Since no adverse order has been passed against the 3rd respondent, notice to the 3rd respondent is dispensed with.

4. The case of the petitioner is that, he is the hereditary trustee of Arulmigu Thannasi Maniappan Temple, Mondiyampaliyam, Boodappadi Bhavani Taluk, Erode District and the 3rd respondent is also one of the hereditary trustee of the said temple. Taking advantage of the same, the 3rd respondent is interfering with the temple management and he has



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misappropriated the funds of the said temple. Therefore, the petitioner had made a complaint against the 3rd respondent before the Inspector, HR & CE Department and the Assistant Commissioner, HR & CE Department, however, no action has been taken by them. Hence, the petitioner has made a representation before the 1st respondent on 19.08.2023 and the said representation has been forwarded to the 2nd respondent on 16.10.2023 for conducting enquiry by the 1st respondent. Since no order has been taken by the 2nd respondent, the petitioner has filed the above writ petition before this court for appropriate orders.

5. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 2nd respondent to consider the petitioner's representation dated 10.09.2023 and pass appropriate orders, within a time frame that may be fixed by this Court.

6. Learned Government Advocate appearing for the respondents 1 and 2 submitted that the petitioner as well as the 3rd respondent are not co-operating with the enquiry conducted by the 2nd respondent. However, he submitted that the 2nd respondent will pass appropriate orders on the



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representation of the petitioner dated 10.09.2023, as expeditiously as possible.

7. Considering the limited request sought for by the learned counsel appearing for the petitioner and in view of the submissions made by the learned Government Advocate appearing for the respondents 1 and 2, this court, without going into the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 10.09.2023 and pass appropriate orders, on merits and in accordance with law, after providing an opportunity of personal hearing to the petitioner as well as the 3rd respondent, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To
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M.DHANDAPANI, J.

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