



W.P.No.27600 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2024

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.27600 of 2024

C.M.Ravi

... Petitioner

Vs.

- 1.The Commissioner HR & CE Department,
Uthamar Gandhi Road,
Nungambakkam,
Chennai – 600 034.
- 2.The Joint Commissioner HR & CE Department,
Commercial Tax Building,
Ground Floor Dr.Balasundaram Road,
Coimbatore – 641 018.
- 3.The Executive Officer,
Arulmigu Mariamman and Mundhi Vinayagar Temple,
Puliyakulam,
Coimbatore – 641 045.

4.Chitrarasu

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 3 to consider the representation dated 27.06.2024 and transfer the 4th respondent from the Arulmigu Mariamman and Mundhi Vinayagar Temple to some other temple in public and administrative interest as per



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the communication of the 3rd respondent dated 05.12.2023.

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For Petitioner : Mr.P.Sesubalan Raja

For Respondents : Mr.S.Ravichandran
Additional Government Pleader [R1 to R3]

ORDER

This Writ Petition has been filed by the petitioner seeking for a Writ of Mandamus, to direct the respondents 1 to 3 to consider the representation dated 27.06.2024 and transfer the 4th respondent from the Arulmigu Mariamman and Mundhi Vinayagar Temple to some other temple in public and administrative interest as per the communication of the 3rd respondent dated 05.12.2023.

2. Mr.S.Ravichandran, learned Additional Government Pleader, accepts notice on behalf of the respondents. In view of the consent expressed by the learned counsel 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 4th respondent, notice to the 4th respondent is dispensed with.

4. The case of the petitioner is that, he is the devotee of Arulmigu



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Marimman and Mundhi Vinayagar Temple situated in Puliyakulam village and the 4th respondent was appointed as Sevakar for the said temple. Owing to his influence in the administrative affairs, he had collected huge amount and acted against the interest of the temple. Thereby, the petitioner had filed a writ petition before this court in W.P.No.9012 of 2020 and this court, by its order, dated 08.07.2020 directed the Executive Officer to take appropriate action within 12 weeks from the date of the order, pursuant to which, the then Executive Officer vide his communication dated 05.10.2020 directed the President of the Samoogam to submit proper accounts. Even then the 4th respondent continued to collect donations in the name of the temple, thereby, the petitioner filed another writ petition before this court in W.P.No.19380 of 2021 and this court, by its order, dated 14.09.2021 directed the Executive Officer to take appropriate action within 6 weeks. In the said enquiry, since the notice was not printed in the name of the temple, the Executive Officer did not take any action. Thereafter, the 3rd respondent recommended the transfer of 4th respondent to some other temple vide letter dated 05.12.2023. Due to inaction, the petitioner made a representation dated 27.06.2024 before the respondents 1 to 3 to transfer



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the 4th respondent as per the recommendation made by the 3rd respondent. Since the said representation was not considered, the petitioner has filed this writ petition before this court for appropriate orders.

5. Though very many grounds have been raised in this writ petition, learned counsel for the petitioner submitted that, it would suffice, if this court, issues a direction to the 2nd respondent to consider the petitioner's representation dated 27.06.2024 and pass appropriate orders, within a time frame that may be stipulated by this court.

6. Considering the limited request made by the learned counsel for the petitioner, this court, without going into the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 27.06.2024 on merits and in accordance with law and pass appropriate orders, after providing an opportunity of personal hearing to the petitioner as well as the 4th respondent, within a period of four (4) weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No



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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes/No
sp

To

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M.DHANDAPANI, J.

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