



W.P. No. 35358 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 35358 of 2023

Nirmala

... Petitioner

-VS-

1. The Joint Commissioner of HR & CE,
Mandal – II,
Chennai – 600 034.

2. The Commissioner,
Tamil Nadu Hindu Religious & Charitable Endowments Department,
Nungambakkam,
Chennai – 600 034.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent to conduct enquiry upon the representation sent through Registered Post on 30.08.2023 being received by the Authority on 31.08.2023 praying to appoint as Trustee.

For Petitioner : Mr. R.Benjamin

For Respondents : Mr. N.R.R.Arun Natarajan,
Special Government Pleader

ORDER



W.P. No. 35358 of 2023

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Heard Mr. R.Benjamin, Learned Counsel for the Petitioner and Mr. N.R.R.Arun Natarajan, Learned Special Government Pleader, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that she had made a representation dated 30.08.2023 to the Second Respondent to appoint her as Trustee of P.Singaravelu Mudaliar Trust, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the merits of the controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representation dated 30.08.2023 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not



W.P. No. 35358 of 2023

less than 15 days for the same;

- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated under written acknowledgment;and
- (v) the report of such compliance shall be filed by 31.03.2024 before the Registrar (Judicial) of the Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

05.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 20.02.2024.

vjt



W.P. No. 35358 of 2023

To

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1. The Joint Commissioner of HR & CE,
Mandal – II,
Chennai – 600 034.
2. The Commissioner,
Tamil Nadu Hindu Religious & Charitable Endowments Department,
Nungambakkam,
Chennai – 600 034.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. Nirmala,
W/o. Ethirajulu,
New No. 95, Old No. 51,
Vellala Street, Puraissaiwalkam,
Chennai.



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W.P. No. 35358 of 2023

P.D. AUDIKESAVALU, J.

vjt

W.P. No. 35358 of 2023

05.01.2024