



W.P.No.35044 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 27.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.35044 of 2024

G.M.Babu

... Petitioner

Vs.

- 1.The Secretary to Government,
State of Tamil Nadu,
Hindu Religious and Endowment Department,
Fort St. George,
Chennai 600 009.
- 2.The Commissioner,
H.R. & C.E.,
119, Uthamar Gandhi Road,
Chennai 600 064.
- 3.The Joint Commissioner,
H.R. & C.E.,
8PQ7 + WFC, Perundurai Road,
V. Chatram,
Erode 638 011.
- 4.The Deputy Commissioner,
H.R. & C.E.,
Perundurai Road,
V. Chatram,
Erode 638 011.



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5.The Executive Officer,
Arulmigu Muthu Vinayagar
And Kamatchi Amman Thirukovil
Punjai Puliyampatti, Erode District 638 459. ... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Mandamus, directing the 2nd and 3rd respondents to take immediate action against the 5th respondent based on the Auditor's report in Na.Ka.No.2149/2024 dated 31.01.2024 and the representation of the petitioner dated 10.07.2023 and 16.08.2024 to the 2nd and 3rd respondents within the time frame fixed by this Hon'ble Court.

For Petitioner : Ms.R.T.Shyamala

For Respondents : Mr.N.R.R.Arun Natarajan,
Spl. Govt. Pleader (HR & CE)
for the respondents 1 to 5

ORDER

The petitioner herein seeks a direction to the second and third respondents to take immediate action against the fifth respondent, based on the Auditor's Report in Na.Ka.No.2149/2024, dated 31.01.2024 and the representations of the writ petitioner dated 10.07.2023 and 16.08.2024.



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2. The petitioner herein is the Chairman of the Board of Trustees of Arulmigu Muthu Vinayagar and Kamatchiamman Temple at Punjai Puliampatti Village, Erode District.

3. It is the case of the petitioner that the said temple was founded by his forefathers and the properties of the temple are rented out to the tenants and the fifth respondent was appointed as Executive Officer of the temple in the year 2021. It is the further case of the petitioner that the arrears of rent, due to the temple has not been properly collected by the fifth respondent. The petitioner submitted representations before the respondents 2 and 3 on 10.07.2023 and 16.08.2024 raising certain allegations against the administration of the fifth respondent. It is also stated by the petitioner that in the Auditor's Report dated 31.01.2024, the Auditors of the Department made certain remarks against the conduct of affairs of the temple by the fifth respondent. The representations submitted by the petitioner have not been considered by the second and third respondents. Therefore, the petitioner has come before this court.



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4. The learned Special Government Pleader, who takes notice for the respondents would submit that the representation submitted by the petitioner is under consideration and final orders will be passed in accordance with law.

5. In view of the above submission, without going into the merits of the claim made by the petitioner, the third respondent is directed to consider the representation of the petitioner dated 10.07.2023 and 16.08.2024 in the light of the Auditor's Report in Na.Ka.No.2149/2024, dated 31.01.2024 and pass final orders on its own merits, within a period of eight weeks from the date of receipt of a copy of this order, after affording reasonable opportunity to the petitioner.

6. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

27.11.2024

Index:Yes/No
Internet:Yes/No
mst



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