



WEB COPY



W.P.No.37041 of 2024.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2024

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.37041 of 2024 and
W.M.P.No.40015 of 2024

MSR.Ashokan alias R.Ashok

...Petitioner

Vs.

The Commissioner

The Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai-600 034.

..Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ o Mandamus, directing the respondent to consider the representation of the petitioner dated 21.11.2024 taking into consideration the Original application filed under Section 64(1) of the Tamil Nadu Hindu Religious and Charitable Endowment Act.

For Petitioner

: Mr.R.Amardeep

For respondent

: Mr.S.Ravichandran

Additional Government Pleader(HR & CE)



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ORDER

The petitioner herein seeks a direction to respondent to consider his representation dated 21.11.2024 by taking into consideration the pendency of the original application filed by him under Section 64(1) of Tamil Nadu HR & CE Act.

2. It is the case of the petitioner that A/m.Azhagu Mariyamman, A/m Kavaiyakalliamman, A/m.Pattatu Easwari Udanamar Kalyana Sundareswarar Temples, Masakaalipalayam, Uppilipalayam Village, Coimbatore have been under the administration of residents of above village. The petitioner and some other residents of the village filed application under Section 64(1) of HR & CE Act seeking framing of scheme of the above mentioned temples and the same is pending. The petitioner submitted a representation on 21.11.2024 requesting the respondents not to take any further action in respect of the administration of the above mentioned temples pending adjudication of original application filed for framing of the scheme. The said representation has not been considered. Hence, the petitioner has come before this Court.

3. Mr.S.Ravichandran, learned Additional Government Pleader(HR & CE), who takes notice for the respondent submits that petition filed by the



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petitioner and others under Section 64(1) is pending on the file of Joint Commissioner, Coimbatore. It is also stated that original application for deciding the hereditary nature of the trusteeship of the temple filed by one Subramanian is also pending on the file of very same Joint Commissioner in O.A.No.35 of 2023. In such circumstances, the representation submitted by the petitioner will be considered by the jurisdictional Joint Commissioner.

4. In view of the same, without going into the merits of the claim made by the petitioner, the respondent herein is directed to forward the representation submitted by the petitioner dated 21.11.2024 to the jurisdictional Joint Commissioner namely Joint Commissioner, Coimbatore within a period of two weeks from the date of receipt of copy of this order. The concerned Joint Commissioner shall consider the same and pass final orders on its' own merits within a period of eight weeks from the date of receipt of such representation after issuing notice to the petitioner and all other interested parties.



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5. With the above directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

06.12.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr

To
The Commissioner
The Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
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S.SOUNTHAR, J.
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