



W.P. No. 36499 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2024

CORAM

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

W.P. No. 36499 of 2023

and

W.M.P. No. 36305 of 2023

B. Ezhumalai

... Petitioner

-VS-

1. The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam High Road,
Chennai 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Villupuram,
Villupuram District.
3. The Assistant Commissioner-cum-Executive Officer,
Executive Officer,
A/m. Ranganathaswamy Thirukoil,
Singavaram, Melacherry Post,
Gingee Taluk.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the 3rd respondent to consider the petitioner's representation dated 04.12.2023 and pass orders on merits and in accordance with law.



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W.P. No. 36499 of 2023

For Petitioner : Mr. M. Gnanasekar
For Respondents : Mr. K. Karthikeyan
Government Advocate

ORDER

Heard Mr. M. Gnanasekar, Learned Counsel for the Petitioner, and Mr. K. Karthikeyan, Learned Government Advocate appearing 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 he had made a representation dated 04.12.2023 to the Third Respondent to permit him to conduct Holy Chariot (Thiru Ther) function in the Temple of the Third Respondent, but as it did not evoke any response, it has necessitated him to file 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:-



W.P. No. 36499 of 2023

WEB COPY

- (i) the concerned authority shall immediately examine the representation dated 04.12.2023 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 less than 10 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.



W.P. No. 36499 of 2023

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

costs.

10.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 20.02.2024.

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To

1. The Commissioner,
Hindu Religious and Charitable Endowments,
Nungambakkam High Road,
Chennai 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Villupuram,
Villupuram District.
3. The Assistant Commissioner-cum-Executive Officer,
Executive Officer,
A/m. Ranganathaswamy Thirukoil,
Singavaram, Melacherry Post,
Gingee Taluk.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. B.Ezhumalai,
S/o. Venkatachalam,
Singavaram, Melacherry Post,
Gingee Taluk,
Villupuram District – 604 202.



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W.P. No. 36499 of 2023

P.D. AUDIKESAVALU, J.

gsa

W.P. No. 36499 of 2023

10.01.2024