



W.P. No. 98 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM

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

W.P. No. 98 of 2024

V.Subramaniyan

... Petitioner

-VS-

1. The Commissioner
Hindu Religious and Charitable Endowments Department
Nungambakkam, Chennai – 34.
2. The Joint Commissioner
Hindu Religious and Charitable Endowments Department
Dr. Balasundaram Salai
Coimbatore – 641 018.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowments Department
Coimbatore.
4. The Inspector
Dr. Balasundaram Salai
Coimbatore – 641 018.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider my representation dated 10.11.2023 in time time-bound manner in pursuance of a communication dated 11.10.2023 in vide proceedings Na.Ka.No.105257/2023/E3 issued by the First Respondent to the Third Respondent and to pass suitable orders that are deemed to be fit and proper.



W.P. No. 98 of 2024

For Petitioner : Ms. V.S.Usharani

For Respondents : Mr. C.Jayaprakash,
Government Advocate

WEB COPY

ORDER

Heard Ms. V.S.Usharani, Learned Counsel for the Petitioner and Mr. C.Jayaprakash, Learned Government Advocate, 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 he had made a representation dated 10.11.2023 to the Third Respondent to take over the administration of Arulmigu Azhagu Marriamman Kovil situated at Ward No. 32, Block No.22, T.S. No.104, Arulmigu Kavaiyakaliyamman Kovil situated at Ward No.32, Block No.22-C and Arulmigu Pattathueswari Udanmar Kalyanasundareshwar Temple situated at Ward No. 32, Block No.20, T.S. No. 158, Masakalipalayam, Uppilipalayam (Post), Coimbatore, South Taluk, Coimbatore, pursuant to the letters dated 11.10.2023 sent by the First Respondent to the Third Respondent, but as it did not evoke any response, it has necessitated the filing of this Writ Petition.



W.P. No. 98 of 2024

3. Learned Government Advocate appearing for the Respondents, on instructions, states that on receipt of the said representation, the Third Respondent had inspected the Temple on 15.12.2023 and further action would be taken.

4. Having regard to the relief sought in this Writ Petition, this Court without expressing any view on the merits of the controversy passes the following the order:-

- (i) the concerned authority shall immediately examine the representation dated 10.11.2023 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;



W.P. No. 98 of 2024

(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.

08.01.2024

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 20.02.2024.

Maya

To

1. The Commissioner
Hindu Religious and Charitable Endowments Department
Nungambakkam, Chennai – 34.
2. The Joint Commissioner
Hindu Religious and Charitable Endowments Department
Dr. Balasundaram Salai
Coimbatore – 641 018.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowments Department
Coimbatore.



W.P. No. 98 of 2024

4. The Inspector
Dr. Balasundaram Salai
Coimbatore – 641 018.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. V.Subnramaniyan,
S/o. Venkatachala Gounder,
Residing at Door No. 3, South Street,
Masakalipalayam,
Uppulipalayam,
Coimbatore,
South Taluk,
Coimbatore – 641 015.



WEB COPY



W.P. No. 98 of 2024

P.D. AUDIKESAVALU, J.

Maya

W.P. No. 98 of 2024

08.01.2024