



W.P(MD)No.20233 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.20233 of 2024

Veerapathiran

... Petitioner

Vs.

- 1.The District Collector,
Dindigul District.
- 2.The Revenue Divisional Officer,
Dindigul,
Dindigul District.
- 3.The Tahsildar,
Dindigul East,
Dindigul District.
- 4.The Commissioner,
Hindu Religious and Charitable Endowment
(HR&CE),
Nungambakkam,
Chennai.
- 5.The Joint Commissioner,
Hindu Religious and Charitable Endowment
(HR&CE),
Dindigul District.



W.P(MD)No.20233 of 2024

6.The Assistant Commissioner,
Hindu Religious and Charitable Endowment
(HR&CE),
Dindigul.

7.Alagarsamy

8.Kailasam

9.Murugesan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 6 to conduct an enquiry and take necessary action against the respondents 7 to 9 for misappropriation so as to protect the interest of Sri Kaliyamman Kovil Temple, Mettupatti, Dindigul and appoint a fit person based on the petitioner's representation, dated 07.07.2024 and pass such further or other orders as this Court.

For Petitioner : Mr.K.Yasar Arafath

For R-1 to R-6 : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

The present Writ Petition is filed for a Mandamus seeking direction to the respondents 1 to 6 to conduct an enquiry and take appropriate action against alleged misappropriation by respondents 7 to 9, so as to protect the



W.P(MD)No.20233 of 2024

interest of Sri Kaliyamman Kovil Temple, Mettupatti, Dindigul and appoint a fit person based on the petitioner's representation, dated 07.07.2024.

2. It was submitted by the learned Counsel for the petitioner that the above mentioned Temple conducts festival every year in the Tamil month of Pankuni or Vaikasi. At the time of conducting temple festival during the Tamil month of Pankuni or Vaikasi, the respondents 7 to 9 claimed / announced, themselves as in charge of the temple and collected donation from the public in the name of temple. However, no accounts were maintained of the money collected i.e., temple funds. The respondents 7 to 9 are not selected by Villagers in any election. The petitioner submitted a representation dated 07.07.2024 to appoint a fit person. Since the said representation was not considered, the present Writ Petition is filed.

3. It is submitted by the learned Additional Government Pleader for the official respondents that the sixth respondent will conduct an enquiry after putting the petitioner and respondents 7 to 9 and any other interested parties on notice and shall pass orders within a period of eight (8) weeks from the date of receipt of a copy of this order, which was accepted by the learned Counsel for the petitioner.



W.P(MD)No.20233 of 2024

WEB COPY

4. In view of the same and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the sixth respondent herein to consider the petitioner's representation dated 07.07.2024, on its own merits and pass appropriate orders in accordance with law, after affording reasonable opportunity of hearing to the petitioner and other interested persons/stake holders, within a period of eight (8) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the sixth respondent to consider the representation on its own merits and in accordance with law.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

27.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



W.P(MD)No.20233 of 2024

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W.P(MD)No.20233 of 2024

MOHAMMED SHAFFIQ, J.

BTR

W.P(MD)No.20233 of 2024

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