

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2015

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P.No.12215 of 2014

R.Selvam

.. Petitioner

vs.

The Joint Commissioner
Hindu Religious and Charitable
Endowment Board, Salem

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondent to consider the petitioner's statutory petition No.13 of 2012 filed under Section 54(1) of HR & CE Act dated 21.11.2012, within a stipulated period of time.

For Petitioner : No appearance

For Respondent : Mr.S.Kandasamy
Special Government Pleader
(HR & CE)

ORDER

When the matter is taken up today, there is no representation for the petitioner. Mr.S.Kandasamy, Learned Special Government Pleader (HR & CE) appeared on behalf of the Respondent.

2. The petitioner has filed the present petition praying for the issuance of a writ of Mandamus to direct the respondent to consider the petitioner's statutory petition No.13 of 2012 filed under Section 54(1) of HR & CE Act dated 21.11.2012, within a stipulated period.

3. It transpires from the typed set of papers filed, that the petitioner along with one R.Suresh had filed M.P.No.13 of 2012 on the file of the Joint Commissioner, HR & CE Board, Salem under Section 54 (1) of the Tamil Nadu Hindu Religious and Charitable Endowments Act,

1959 praying for recording them as Hereditary Trustees of the temple as the Legal Heirs of the deceased Hereditary Trustee and to record their names as persons next in the line of succession.

4. The grievance of the petitioner is that the said Statutory Petition has not yet been disposed of by the Respondent and therefore, necessary directions may be issued by this Court to the Respondent to consider his Statutory Petition No.13 of 2012 filed under Section 54(1) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

5. It is represented on behalf of the Respondent-Endowment Board that M.P.No.13 of 2012 pending on the file of the Respondent is slated for hearing on 08.04.2015.

6. At this stage, this Court without going into the merits and demerits of the matter and also not expressing any opinion, one way or other in the subject matter in issue, in the interest of justice and Fair Play, directs the Respondent to look into the Statutory Petition No.13 of 2012 and dispose of the same by passing a reasoned speaking order, within a period of four weeks from the date of receipt of a copy of this order.

7. With the above observation and direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vj2

To
The Joint Commissioner
Hindu Religious and Charitable
Endowment Board, Salem.

1 cc to Mr. S.Sivakumar, Advocate, SR.No.16263
1 cc to Spl.Government Pleader, (HR & CE) Sr.No15949

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gr(co)pmk.31.3.2015