

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20980 of 2015

G.Ayyarappan

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious Charitable & Endowment Board,
Uttamar Gandhi Road,
Nungambakkam,
Chennai - 600 034.
2. The Joint Commissioner,
Arulmigu Arunachaleswarar Thirukoil,
Thiruvanamalai - 606601,
3. Arulmigu Arunachaleswarar Thirukoil,
rep.by its Executive,
Thiruvanamalai - 606601.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus to direct the respondent to consider the representation dated 27.12.2014 on the file of the respondent.

For Petitioner : Mr.M.Sunil Kumar

For Respondents : Mr.M.L.Mahendran, Govt. Advocate
(H.R. & C.E.)

ORDER

With the consent of the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents, the writ petition is taken up for disposal at the admission stage itself.

2. The petitioner claims that the land in Plot No.122, T.S.NO.36, Block 6, Door No.47/52, Ramaswamy Garden Street, Adyar, Chennai - 600 020 belongs to the 3rd respondent temple and the petitioner is the absolute owner of the super structure/ house situated in the said land.

3. The petitioner would further claim that for generations together, his ancestors, his grand father Ayya Kannu Mudaliar and thereafter, his father Ganapaty Mudaliar and himself continued to reside in the above said property. In the communication No.5919/R1/98-1 dated 19.3.1998, though the Hindu Religious and Charitable Endowment Chennai - 600 009 has also recognised the petitioner as the tenant and made repeated recommendations to recognise him as the tenant, no orders have been passed recognising the petitioner as the tenant and the petitioner has submitted a written representation dated 27.12.2014 to the respondents in that regard. Since no orders have been passed on the said representation, the petitioner has come forward with the present writ petition.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

5. This Court, without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to consider and pass orders on the representation of the petitioner dated 27.12.2014 on merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order and communicate the decision taken, to the petitioner.

6. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

1. The Commissioner,
Hindu Religious Charitable & Endowment Board,
Uttamar Gandhi Road,
Nungambakkam,
Chennai - 600 034.

2. The Joint Commissioner,
Arulmigu Arunachaleswarar Thirukoil,
Thiruvanamalai - 606601,

+lcc to Government pleader sr.no. 35948.

+lcc to Mr.M.Sunil kumar, Advocate sr.no.35460.

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srg 27.07



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