

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.2553/2015

S.Palanivel

..

Petitioner

Versus

1.The Commissioner
Hindu Religious & Charitable Endowment
Nungambakkam, Chennai 600 034.

2.The Joint Commissioner
Hindu Religious & Charitable Endowment
Salem.

3.M.Gnanasekaran

..

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 1st respondent to dispose of the appeal dated 12.12.2014 preferred by the petitioner u/s.54[4] of the Tamil Nadu Hindu Religious & Charitable Endowment Act.

For Petitioner : Mr.A.Nagarathinam

For R1 to R3 : Mr.M.L.Mahendran, GA

ORDER

Heard Mr.A.Nagarathinam, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate appearing for the respondents and with their consent, the writ petition is disposed of at the admission stage itself. Since the writ petition is disposed of without notice to the 3rd respondent, the merits of the allegations made by the petitioner as against the 3rd respondent are not gone into and the same is left open to the official respondents to take note of the same.

2.The petitioner seeks for issuance of a writ of mandamus for a direction to the 1st respondent to consider and dispose of the petitioner's appeal dated 12.12.2014 preferred u/s.54[4] of the Tamil Nadu Hindu Religious & Charitable Endowment Act.

3. According to the petitioner, he has filed an appeal before the 1st respondent which has been directed to be considered by the 2nd respondent in accordance with law. In this regard, the 1st respondent has issued direction in his proceedings O.Mu.No.66709/2014/A2 dated 22.12.2014.

4. In the light of the above, without going into the merits of the petitioner's contentions, there will be a direction to the 2nd respondent to consider the petitioner's appeal dated 12.12.2014, after issuing notice to the petitioner as well as to the 3rd respondent and to other trustees of the temple and pass orders on merits and in accordance with law. It is made clear that the above exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1. The Commissioner, Hindu Religious & Charitable Endowment
Nungambakkam, Chennai 600 034.

2. The Joint Commissioner, Hindu Religious & Charitable Endowment
Salem.

1 cc to Mr. A. Nagarathinam, Advocate, SR.No.5847

1 cc to Government Pleader, Sr.No5823

WP.No.2553/2015

ALA(CO)

PMK.21.2.2015

WEB COPY