

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.28627 of 2015
and M.P.Nos.1 & 2 of 2015

P.Ravichandran

... Petitioner

-Vs-

1.The Joint Commissioner of HR & CE
cum Additional Commissioner (Enquiry) //
Joint Commissioner (Additional Charge),
O/o Commissioner of HR & CE,
Nungambakkam,
Chennai - 34.

2.The Assistant Commissioner of HR & CE,
O/o Commissioner of HR & CE,
Nungambakkam,
Chennai - 34.

3.The Executive Officer,
A/M Maragathambal Samedha
Mallegeswarar Thirukoil,
Lingi Chetti Street,
Chennai - 1.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus calling for the records pertaining to the impugned order Nada.Na.Ka.No.9932/2010/B3 Dated 10.02.2014 on the file of the 1st respondent and quash the same.

For Petitioner : Mr.N.Sreenivasalu

For Respondent : Mr.K.V.Dhanapalan,
Additional Government Pleader

O R D E R

Challenging the order dated 10.02.2014, by which the petitioner was directed to hand over possession, the present Writ Petition has been filed.

2.Admittedly, the order impugned is appealable, however, the learned counsel for the petitioner submitted that the petitioner has not been issued with the said order by the respondent no.1, but it was received only from the respondent no.3.

3.In such view of the matter, the petitioner is given liberty to file an appeal under Section 21 of the Hindu Religious and Charitable Endowments Act against the order impugned within a period of four weeks from the date of receipt of a copy of this order. It is made clear that as and when the appeal is filed within the time granted, the same may be decided on merits, without rejecting it on the ground of non production of the original copy of the order. Till such time, status quo as on today shall be maintained.

4.The Writ Petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

- 1.The Joint Commissioner of HR & CE
cum Additional Commissioner (Enquiry)/
Joint Commissioner (Additional Charge),
O/o Commissioner of HR & CE,
Nungambakkam, Chennai - 34.
- 2.The Assistant Commissioner of HR & CE,
O/o Commissioner of HR & CE,
Nungambakkam, Chennai - 34.
- 3.The Executive Officer,
A/M Maragathambal Samedha
Mallegeswarar Thirukoil,
Lingi Chetti Street, Chennai - 1.

+1 cc to Mr.N.Sreenivasalu, Advocate, sr.49696

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