

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.34156 of 2015

S.Thiagarajan

... Petitioner

-Vs-

1.The Commissioner,
Hindu Religious and Charitable Endowments
Department, Nungambakkam,
Chennai - 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department, Villupuram.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department, Cuddalore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the 1st respondent viz. The Commissioner, Hindu Religious and Charitable Endowment Department, Chennai to consider and dispose of the petitioner's appeal dated 12.02.2013 within a time limit to be fixed by this Court.

For Petitioner : Mr.V.Vijay Shankar

For Respondents : Mr.P.Sanjay Gandhi,
Additional Government Pleader

O R D E R

Seeking disposal of the appeal allegedly said to be pending with the respondent no.1, the present Writ Petition has been filed. The appeal is said to have been made against the order dated 18.01.2013 passed by the respondent no.2.

2.Though the matter is in the admission list, the learned Additional Government Pleader, on instructions, submitted that no such appeal is pending.

3.This Court is not willing to go into such an issue. What the petitioner seeks is disposal of the appeal before the respondent no.1 challenging the order passed by the respondent no.2. Considering the above, the petitioner is given liberty to file an appeal before the respondent no.1 within a period of four weeks from the date of receipt of a copy of this order. As and when such an appeal is filed within the time limit given above, the respondent no.1 shall dispose of the same, on merits and in accordance with law within a further period of three months, without referring to any period of limitation.

4.The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

1.The Commissioner,
Hindu Religious and Charitable Endowments
Department,
Nungambakkam,
Chennai - 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department,
Villupuram.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department, Cuddalore.

+1 cc to Mr.V.Vijay Shankar Advocate sr.55901
+1 cc to Government Pleader sr.58772

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