

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.38343 of 2015
and M.P.No.1 of 2015

M.K.Mohan

... Petitioner

Vs.

1. The Joint Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowments Department,
Vellore - 9,
2. The Assistant Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowments Department,
Kancheepuram
3. The Executive Officer,
Sri Arulmigu Vallieswaran Thirukovil,
Kovur, Manapakkam,
Chennai - 600 122,
4. The Tasildhar,
Sriperumbedur Taluk,
Sriperumbedur.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records in connection with the Notice No.8363/2015/E1 dated 27.08.2015 issued by the 1st respondent and quash the same and allow the petitioner to continue as a lessee under the 3rd respondent for extent of 3.24 acres in S.No.406 in Mannpakkam village.

For Petitioner : Mr.R.Vivekanandan
For Respondents : Mr.P.Sanjay Gandhi,
Addl.Govt.Pleader

O R D E R

Challenging the notice dated 27.8.2015 issued by the 1st respondent under Section 78(1) of Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, by which the petitioner was asked to give his reply to the show cause notice as to why

encroachment shall not be removed, the present writ petition has been filed by the petitioner.

2. Though learned counsel appearing for the petitioner submitted on merits, this is a matter to be considered by the 1st respondent and pass an the order. The stage is pre-mature. By the impugned notice, only the petitioner was asked to show cause. He cannot be termed as a person aggrieved at this stage.

3. Therefore, this writ petition stands disposed of giving liberty to the petitioner to give suitable reply to the impugned notice dated 27.8.2015 within a period of four weeks from the date of receipt of a copy of this order. The 1st respondent shall pass appropriate orders thereafter within a further period of eight weeks. No costs. Consequently, the connected miscellaneous petition is closed.

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s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Joint Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowments Department,
Vellore - 9,
2. The Assistant Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowments Department,
Kancheepuram
3. The Executive Officer,
Sri Arulmigu Vallieswaran Thirukovil,
Kovur, Manapakkam,
Chennai - 600 122,
4. The Tasildhar,
Sriperumbedur Taluk,
Sriperumbedur.

vs (co)
prk15/12

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