

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.01.2016

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P. No.40890 of 2015

1.J.Munusami
2.V.Ravi
3.Madhavan
4.K.Venkatesan
5.L.Narasimman

.. Petitioners

Vs.

The Joint Commissioner,
The Hindu Religious and
Endowment Department,
Administration,
Vellore, Vellore District.

.. Respondent

PRAYER : Writ petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to take on file of the petitioner's impleading petition dated 26.10.2015 filed in O.A.No.2 of 2015 pending with respondent and to adjudicate upon the same and pass orders in accordance with law.

For Petitioners : Mr.P.Krishnan for
M/s.P.Palaninathan

For Respondent : Mr.P.Sanjay Gandhi
Additional Government Pleader

O R D E R

An application was filed in O.A.No.2 of 2015 by Narmada Devi and others under Section 63[A] of the Hindu Religious and Charitable Endowments Act, 1959. In that application, the petitioners filed another application seeking to implead themselves as party respondents. Now seeking a direction to take on file the impleading petition dated 26.10.2015 filed in O.A.No.2 of 2015, the present Writ Petition has been filed.

2.Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondent.

3.The learned Additional Government Pleader on instructions submitted that the impleading petition would be numbered and heard on merit including the locus standi of the petitioners along with O.A.No.2 of 2015.

4.The learned counsel, who appears on behalf of the applicants in O.A.No.2 of 2015, submitted that the petitioners do not have locus standi. He also submitted that the application has been filed in pursuant to the order passed by the Division Bench of this Court in W.A.No.2004 of 2011 dated 21.02.2013.

5.Considering the limited scope of prayer sought for, there is no difficulty in directing the respondent herein to number the application for impleadment. After numbering, the said application will have to be decided along with O.A.No.2 of 2015 on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. The applicants in O.A.No.2 of 2015 are also permitted to file their counter opposing the impleading petition, within a period of one week from the date of receipt of this order.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sri

To

The Joint Commissioner,
The Hindu Religious and Endowment Department,
Administration,
Vellore, Vellore District.

+1cc to Mr.P. Palaninathan, Advocate, S.R.No. 204
+1cc to Mr.P. Krishnan, Advocate, S.R.No.702
1 cc to The Government Pleader, sr.1231 (27.05.2016)

CA(CO)
EU(6/01/2015)

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