

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 19.9.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.32551 of 2016

K.Vadivel

... petitioner

Vs

- 1 The Commissioner
Hindur Religious and Charitable Endowment
Department Chennai-34
- 2 The Joint Commissioner
Hindu Religious and Charitable Endowment
Department Salem Salem District
- 3 The Assistant Commissioner
Hindu Religious and Charitable Endowment
Department Namakkal Namakkal District
- 4 Inspector of Police
Tiruchengode Town Police Station Namakkal
District
- 5 Kumaresan ... respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the 2nd respondent to consider the representation made by the writ petitioner dated 30.06.2016 and subsequently on 22.08.2016 and by passing appropriate orders in the statutory revision petition pending before her in R.P.1/ 2014 within a time frame fixed by this Honourable Court

For petitioner

For respondents

... Mr.N.Alagu Narayanan
... Mr.R.P.Prathap Singh,
Government Advocate,
for respondents 1 to 3

Mr.R.S.Selvam,
Government Advocate,
for 4th respondent

O R D E R

The petitioner seeks a direction upon the second respondent to pass final orders in R.P.No.1 of 2014, which is a petition filed under Section 21A of Tamil Nadu Hindu Religious and

Charitable Endowment Act, against the order of the third respondent dated 2.6.2012 and the resolution of the Board of Trustees of Arulmighu Pachi Amman Thiru Koil, Tiruchengode Taluk, dated 16.5.2008 and 4.8.2012.

2. The petitioner's case is that the revision petition filed by the fifth respondent was entertained and notice was ordered to the petitioner. according to the petitioner, he has filed his counter and both parties have completed their arguments on the last hearing date i.e. 3.6.2015. Though enquiry was completed, the second respondent has not passed final orders.

3. Since this Writ Petition is disposed of at the admission stage, without notice to the fifth respondent, it cannot be readily verified as to whether all the parties have completed their pleadings and also made their oral submissions. In any event, the second respondent should pass appropriate orders at the earliest. In the light of the above, if there is no other legal impediment, then the second respondent is directed to pass appropriate final orders in R.T.No.1 of 2014, within a period of eight weeks from the date of receipt of a copy of this order. However, if the enquiry is yet to be over, or if any of the parties have to be heard, then the second respondent shall fix a date for further hearing and after hearing is completed, pass an order within a period of eight weeks therefrom. It is made clear that this Court has not gone into the merits of the averments made by the petitioner in the affidavit filed in support of the Writ Petition and it is for the second respondent to decide the matter on merits.

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

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1 The Commissioner
HIndur Religious and Charitable Endowment
Department Chennai-34

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- 2 The Joint Commissioner
Hindu Religious and Charitable Endowment
Department Salem Salem District
- 3 The Assistant Commissioner
Hindu Religious and Charitable Endowment
Department Namakkal Namakkal District
- 4 Inspector of Police
Tiruchengode Town Police Station Namakkal
District

+1 cc to Mr.C.Dharmaraj Advocate sr 53360
+1 cc to Government Pleader sr 53305
+1 cc to Government Pleader sr 57156

W.P.No.32551 of 2016

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