

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.10.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.36877 of 2016

WMP No.31695 of 2016

1. M.Loghu Subramani

2. P.Shandhi

.. Petitioners

Vs.

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

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam,
Chennai - 600 0034

3. A/M. Siddhi Buddhi Vinayagar and
Sundareswarar Thirukoil,
Retd., by its Executive Officer,
Muthu Mudali Street,
Royapettah,
Chennai - 600 014

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to dispose of the representation sent to him through the 3rd respondent on 10.10.2008, 17.10.2008, 02.07.2013, 12.09.2014 and 28.03.2016 within the stipulated time from the date of receipt of copy of the order.

For Petitioner : Mr.M.Rajakumaresan

For Respondents : Mr.M.Maharaja

Spl. Government Pleader for HRCE

O R D E R

After some elaborate arguments the learned counsel for the petitioners submitted that in view of the final order passed by the Commissioner, atleast the petitioners may be permitted to file an appeal before the Government under Section 114 of the Tamilnadu Hindu Religious and Charitable Endowment Act including to consider the representation, which has not been done by the Commissioner.

2. The learned Special Government Pleader would also contend that there is only appeal provision as against the impugned order.

3. Considering the submission of the learned Special Government Pleader, the learned counsel for the petitioner made an endorsement withdrawing this petition.

4. In view of the endorsement made by the learned counsel for the petitioner, this Writ Petition is hereby dismissed as withdrawn with liberty to prefer an appeal as against the impugned order. When such an appeal is filed to the Government, the Government shall consider the same in accordance with law including the submission made by the learned counsel for the petitioners regarding the representation by condoning the delay if the appeal is filed within a period of fifteen days from the date of receipt of copy of this order.

With the above observation, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

ssd

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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,
Nungambakkam,
Chennai - 600 0034

+2 ccs to Mr.M.Rajakumaresan Advocate sr 59776
+1 cc to Government Pleader sr 60124

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