

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.03.2017

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.5327 of 2017
and WMP.No.5672 of 2017

R.Gopal

.. Petitioner

Vs

- 1.The Commissioner,
Hindu Religious and Charitable Endownments,
Chennai.
 - 2.The Joint commissioner,
Hindu Religious and Charitable Endownments,
Chennai-34.
 - 3.The Assistant Commissioner,
Hind Religious and Charitable Endownments,
Chennai-34.
 - 4.The Executive Officer-cum-Fit Person,
Arulmighu Theyagarajaswamy Thirukoil,
Thiruvottiyur, Chennai-19.
- ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 1st respondent to pass orders in the revision petition dated 29.08.2016 filed by the petitioner under Section 21 of the Tamilnadu Hindu Religious and Charitable Endownments Act, 1955 within a time frame and consequently forbear the respondents, representatives or any other person claiming through or under them from evicting, demolishing or disturbing the peaceful possession and enjoyment of the petitioner's shop situated in Sr.No.237/1, for an extent of 128 sq.ft.of the Arulmighu Theyagarajaswamy Thirukoil, Thiruvottiyur, Chennai, till disposal of the revision dated 29.08.2016 filed by the petitioner.

For Petitioner : Mr.A.Edwin Prabakar

For Respondents : Mr.M.Maharaja
Spl.Govt.Pleader (H.R. & C.E.)

O R D E R

As per the earlier order passed by this court in W.P.No.28637 of 2016 dated 16.08.2016, the petitioner was directed to approach the authority.

2. According to the petitioner, pursuant to the same, he has already filed statutory revision under Section 21 of the Hindu Religious and Charitable Endowments Act on 29.08.2016 which was duly acknowledged by the Commissioner on 06.09.2016 itself.

3. Considering the facts and circumstances of this case, it is suffice to state that the first respondent shall consider the application filed by the petitioner under Section 21 of the H.R. & C.E.Act and dispose of the same, within a period of two months from the date of receipt of a copy of this order. This order has been passed only in respect of the petitioner herein and it is ordered cannot be treated as a precedent.

4. In view of the above observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

kkd

Sub Assistant Registrar

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments,
Chennai.
- 2.The Joint commissioner,
Hindu Religious and Charitable Endowments,
Chennai-34.
- 3.The Assistant Commissioner,
Hind Religious and Charitable Endowments,
Chennai-34.
- 4.The Executive Officer-cum-Fit Person,
Arulmighu Theyagarajaswamy Thirukoil,
Thiruvottiyur, Chennai-19.

+2cc to Mr.Edwin Prabakar, Advocate, S.R.No.13965

+1cc to the Government Pleader, S.R.No.13859

MSM(CO)
RS (21/03/2017)

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