

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.04.2017

CORAM

The Honourable MR. JUSTICE M.DURAISWAMY

W.P.No.9471 of 2017
and W.M.P.Nos.10427 and 10428 of 2017

Ezhil Malar Matriculation School [Petitioner]
rep by Executive member E.Muzhumathy
Sambandar Colony Pidari South Street
Sirkali-609110

Vs

- 1 The Commissioner
Hindu Religious and Charitable Endowments
Chennai
- 2 The Joint Commissioner
Hindu Religious and Charitable Endowment
Mayiladuthurai
- 3 Gurumaga Sannitham
Sri La Sri Shanmuga Desiga Gnanasambandha
Brahamacharya Swami, Dharmapuri Adhinam,
Dharamapuram [Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records in Na.Ka.57041/ 2016/ R1 dated 03.01.2017 on the file of the 1st respondent and Na.Ka.5903/ 2015/ E1/ dated 17.03.2017 on the file of respondent 2 and consequently direct the 1st respondent to renew the lease deed for the land in R.S.418/ 10 to the extent of 24.420 sq.ft at Gnansambandhar Colony, Singarathoppu, Sirkali Town with provision of law for the petitioner's school.

For Petitioner : Mr.K.Jaya Kumar

For Respondents : Mr.Maharaja, SGP (HR&CE)

ORDER

Mr.Maharaja, learned Special Government Pleader, takes notice for the respondents 1 and 2.

2. By consent, the main writ petition itself is taken up for final disposal at the admission stage itself.

3. The petitioner has filed the above writ petition to issue a writ of certiorarified mandamus to call for the records dated 03.01.2017 on the file of the 1st respondent and dated 17.03.2017 on the file of 2nd respondent and consequently direct the 1st respondent to renew the lease deed for the land in R.S.418/10 measuring an extent of 24.420 sq.ft at Gnansambandhar Colony, Singarathoppu, Sirkali Town, in accordance with law.

4. Though the petitioner has challenged the orders passed by the respondents 1 and 2 dated 03.01.2017 and 17.03.2017, the learned counsel appearing for the petitioner submitted that it would suffice if a direction is given to the 1st respondent to consider the petitioner's representation dated 03.04.2017 and pass orders in accordance with law, without disturbing the impugned orders.

5. Mr.Maharaja, learned Special Government Pleader appearing for the respondents 1 and 2 submitted that without disturbing the impugned orders passed by the 1st and 2nd respondents, the 1st respondent may be directed to consider the petitioner's representation dated 03.04.2017 and pass orders on merits and in accordance with law, within a time frame.

6. Having regard to the submissions made by the learned counsel on either side, taking into consideration the limited prayer sought for by the learned counsel for the petitioner, without expressing any opinion with regard to the merits of the case, I direct the 1st respondent to consider the petitioner's representation dated 03.04.2017, and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. Since the learned counsel for the petitioner has stated that the 1st respondent may be directed to consider the petitioner's representation without disturbing the impugned orders passed by the respondents 1 and 2, the 1st

respondent is directed to consider and pass orders on the petitioner's representation without disturbing the impugned orders passed by the respondents 1 and 2.

With the above observation, the writ petition is disposed of . No costs. Connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

rg

To

1 The Commissioner
Hindu Religious and Charitable Endowments
Chennai

2 The Joint Commissioner
Hindu Religious and Charitable Endowment
Mayiladuthurai

+1cc to Mr.R.Mohanaraja,Advocate sr.23750

W.P.No.9471 of 2017

vsn(co)
ss(20/4/2017)

सत्यमेव जयते

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