

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.05.2017

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THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P. No.13521 of 2017
and WMP Nos.14607 and 14608 of 2017

R.Balasubramani

...Petitioner

Vs.

1.The Commissioner,
Hindu Religious & Charitable Endowment Department,
Uttamar Gandhi Salai,
Chennai - 34.

2.The Joint Commissioner,
Office of the Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Salem.

3.The Assistant Commissioner,
Office of the Assistant Commissioner,
Hindu Religious & Charitable Endowment Department,
Salem.

4.The Executive Officer,
Arulmigu Kottai Mariamman Thirukovil,
Salem Town and Taluk,
Salem District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for records and to quash the order dated 05.05.2017 made in R.P.266/2016 D2 by the first respondent and to direct the second respondent to regularize the petitioner as tenant.

For Petitioner : Mr.B.Vijayakumar
For Respondents : Mr.M.Maharaja,
Special Government Pleader

O R D E R

This writ petition has been filed challenging the order dated 05.5.2017 passed by the first respondent in Revision Petition in R.P.No.266/2016 D2, filed under Section 21 of the Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959.

2. As rightly submitted by the learned Special Government Pleader, as against the said order, an appeal lies under Section 114 of the said Act.

3. The learned counsel for the petitioner submitted that the petitioner had already approached the Government for the aforesaid purpose.

4. In such view of the matter, a direction is issued to the Secretary to Government, Hindu Religious and Charitable Endowment Department, Fort St.George, Chennai, to dispose of the appeal said to have been filed by the petitioner under Section 114 of the Act, within a period of twelve weeks from the date of receipt of a copy of this order, on merits and in accordance with law.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

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To:

1.The Secretary to the Government
Hindu Religious and Charitable Endowment Department
Fort St George Chennai

2.The Commissioner,
Hindu Religious & Charitable Endowment Department,
Uttamar Gandhi Salai,
Chennai - 34.

3.The Joint Commissioner,
Office of the Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Salem.

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Hindu Religious & Charitable Endowment Department,
Salem.

5.The Executive Officer,
Arulmigu Kottai Mariamman Thirukovil,
Salem Town and Taluk,
Salem District.

+1 cc to M/s.B.Vijayakumar Advocate sr 38137

W.P No.13521 of 2017

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