

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.19564 of 2017

A.Kudiarasu

...Petitioner

v.

1 The Tahasildar
Avadi Taluk, Avadi, Chennai.

2 The Commissioner of Police
Greater Chennai
Vepery, Chennai

3 The Joint Commissioner
Hindu Religious Endowment Board
Nungambakkam
Chennai - 600 034

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the 3rd respondent to dispose of the appeal filed by the petitioner under section 63 of H.R. & C.E. Act within the time fixed by this court.

For Petitioner : Dr.G.Krishnamurthy

For Respondents : Mr.S.V.Doraisolaimalai
Additional Govt. Pleader
- for R1 & R2

Mr.M.Maharaja
Special Govt. Pleader - for R3

ORDER

Mr.S.V.Doraisolaimalai, learned Additional Government Pleader, takes notice for the respondents 1 and 2 and Mr.M.Maharaja, learned Special Government Pleader takes notice for the 3rd respondent. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the 3rd respondent to dispose of the appeal filed by him under section 63 of H.R. & C.E. Act within a time frame.

3. Mr.M.Maharaja, learned Special Government Pleader appearing for the 3rd respondent submitted that the petitioner has only given a representation dated 27.09.2016 to the 3rd respondent and that he has not filed any appeal before the 3rd respondent.

4. Dr.G.Krishnamurthy, learned counsel appearing for the petitioner submitted that liberty may be given to the petitioner to file an appeal in proper format before the 3rd respondent and in such an event, the 3rd respondent may be directed to consider and dispose of the appeal, in accordance with law, within a time frame.

5. In view of the submissions made by the learned counsel on either side, I give liberty to the petitioner to file an appeal in proper format before the 3rd respondent, within one week from the date of receipt of a copy of this order and after receiving the appeal to be filed by the petitioner, the 3rd respondent shall decide the same, on merits and in accordance with law, after giving notice to all the interested parties, as expeditiously as possible.

With these observations, the writ petition is disposed of.
No costs.

Sd/-
Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

Rj

To

1 The Tahasildar
Avadi Taluk, Avadi, Chennai.

2 The Commissioner of Police
Greater Chennai
Vepery, Chennai

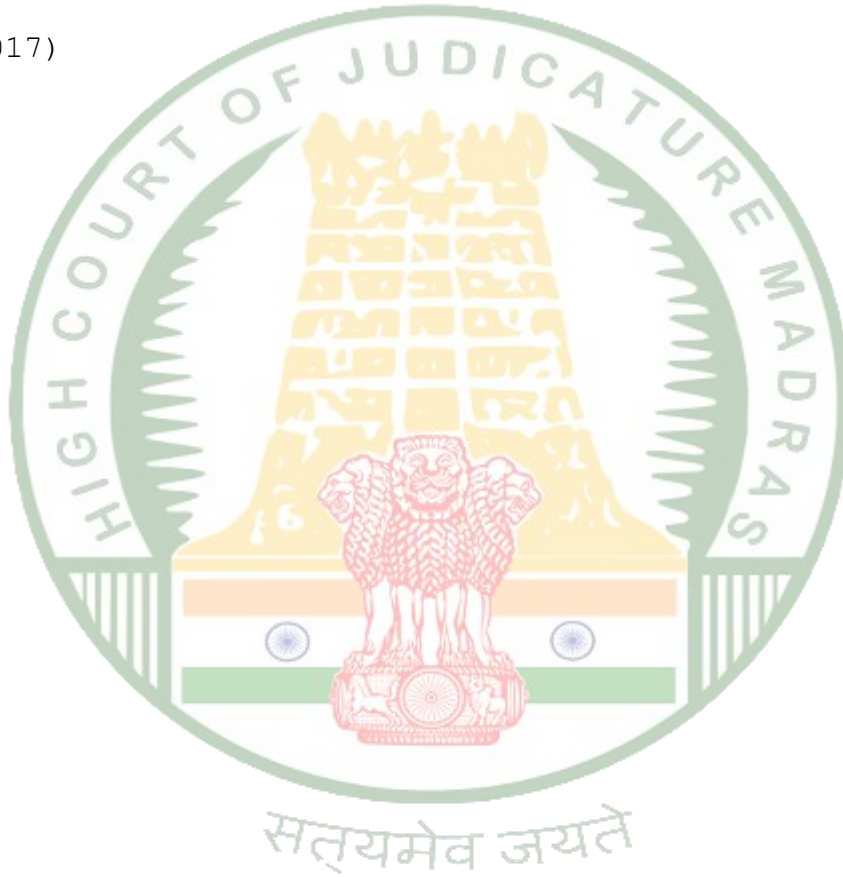
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3 The Joint Commissioner
Hindu Religious Endowment Board
Nungambakkam, Chennai - 600 034

+1cc to mr.S.V.S.Ilamvazhuthi, Advocate Sr. 54448
+1cc to the Government Pleader Sr. 54901
+1cc to Special Government Pleader Sr. 54919

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KGK (CO)
VR(17/8/2017)



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