

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.19772 of 2017
and W.M.P.No.21344 of 2017

P.Murugesan

... Petitioner

Vs.

1.The Secretary to Government,
Hindu Religious and Charitable
Endowments Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Uttamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.

3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Mayiladuthurai - 609 001.

4.The Executive Officer,
Adi Kumbeshwarar Temple,
Kumbakonam - 612 001.

5.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Kumbakonam - 612 001.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the 1st respondent to consider and pass orders on the stay application filed by the petitioner along with the Revision Petition No.29 of 2017 and restraining the 4th respondent from interfering with the petitioner's possession with Shop No.2, Kasiviswanathar Sannadhi Street, Kumbakonam pending disposal of the stay petition.

For Petitioner : Mr.S.Thirumavalavan

For Respondents: Mr.M.Maharaja,
Special Government Pleader

O R D E R

Mr.M.Maharaja, learned Special Government Pleader takes notice for the respondents. By consent, the main Writ Petition 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 1st respondent to consider and pass orders on the stay application filed by the petitioner along with the Revision Petition No.29 of 2017 and restraining the 4th respondent from interfering with the petitioner's possession with Shop No.2, Kasiviswanathar Sannadhi Street, Kumbakonam pending disposal of the stay petition.

3.Mr.S.Thirumavalavan, learned counsel appearing for the petitioner submitted that though the petitioner has filed a revision before the 1st respondent as early as on 25.03.2017 along with a stay petition, the 1st respondent has not passed any order in the stay petition, which causes hardship to the petitioner.

4.Mr.M.Maharaja, learned Special Government Pleader appearing for the respondents submitted that the 1st respondent may be directed to dispose of the stay petition filed by the petitioner in the Revision Petition in accordance with law within a time frame.

5.Having regard to the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 1st respondent to consider the petitioner's stay petition filed in Revision Petition No.29 of 2017 and pass orders in accordance with law within a period of two weeks from the date of receipt of a copy of this order.

6.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

va

To

1.The Secretary to Government,
Hindu Religious and Charitable
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+ 1 cc to Mr.S. Thirumavalavan, Advocate Sr.55087

W.P.No.19772 of 2017
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(CS-IV)
EU 3.08.17

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