

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.24517 of 2013 and

M.P.No.1 of 2013

Muniammal

.. Petitioner

V.

1.The Joint Commissioner,
Hindu Religious & Charitable Endowment
Department, District Collectorate,
Villupuram.

2.The Deputy Commissioner,
H.R. & C.E. Department,
District Collectorate,
Villupuram

3.The Inspector,
H.R. & C.E. Department,
VSN Complex (1st Floor)
Sepperumal Street,
Gingee, Villupuram District.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records of the 3rd respondent in his proceedings Na.Ka.No.34/2013 dated 22.08.2013 and to quash the same.

For Petitioner .. Mr.A.K.Kumaraswamy

For Respondents .. Mr.R.P.Prathap Singh
Government Advocate (H.R.& C.E.)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (H.R. & C.E.) appearing for the respondents.

2. According to the petitioner, the impugned order passed by the third respondent/the Inspector, H.R. & C.E. Department, Villupuram District, dated 22.08.2013 is without jurisdiction and therefore, the same is liable to be quashed.

3. The learned Government Advocate (H.R. & C.E.) appearing for the respondents, on the basis of the counter affidavit filed by the Assistant Commissioner viz., the first respondent, in paragraph 8, clearly states that the impugned communication passed by the third respondent is beyond the jurisdiction.

4. In view of the submissions made by the learned counsel for the parties and the stand taken by the first respondent in the counter affidavit, this Court, without going into the merits of the matter, sets aside the order passed by the third respondent dated 22.08.2013 and accordingly, the Writ Petition is allowed, granting liberty to the respondents to proceed in accordance with law, as contemplated under the Act.

5. With the above observation, the Writ Petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

Sgl

To

1. The Joint Commissioner,
Hindu Religious & Charitable Endowment
Department, District Collectorate,
Villupuram.

2. The Deputy Commissioner,
H.R. & C.E. Department,
District Collectorate,
Villupuram

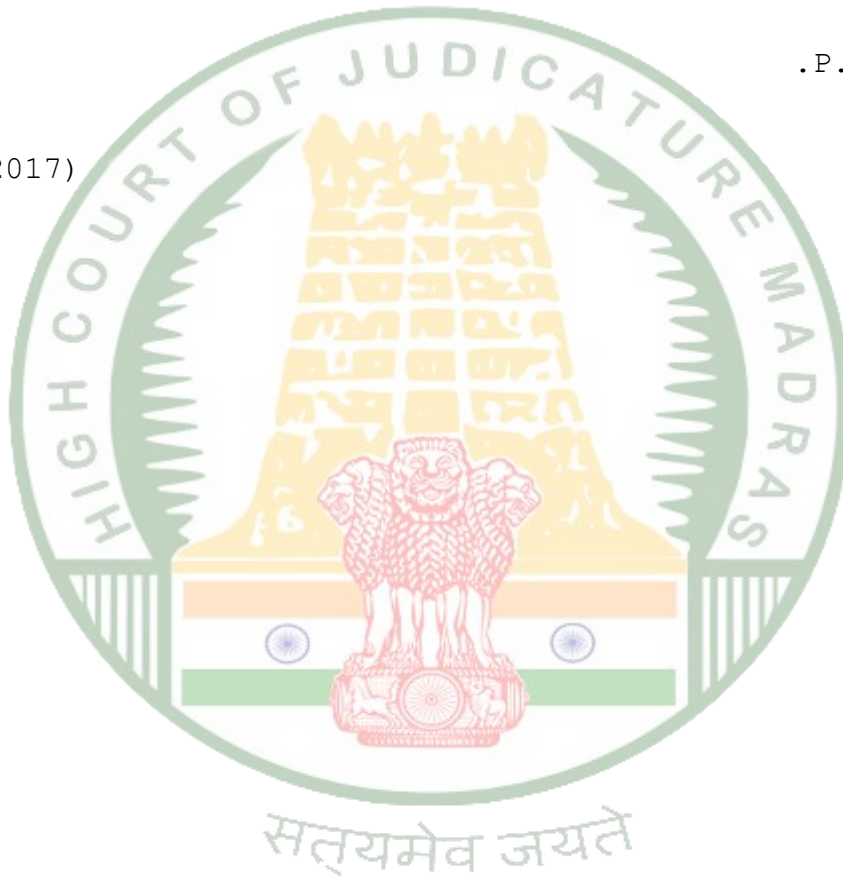
3.The Inspector,
H.R. & C.E. Department,
VSN Complex (1st Floor)
Sepperumal Street,
Gingee, Villupuram District.

+1 CC to Mr.A.K.Kumaraswamy Advocate Sr.No.10970.

+1 CC to Government Pleader, High Court, Chennai Sr.No.11416

.P.No.24517 of 2013

ALA(CO)
KP(07.03.2017)



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