



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**
AND
THE HONOURABLE MR.JUSTICE **N.SATHISH KUMAR**

WA(MD)No.678 of 2014
and
M.P.(MD)Nos. 1 & 2 of 2014

P.Rajendran : Petitioner

Vs.

- 1.The Secretary,
Ministry of Hindu Religious and Charitable
Endowment Administrative Department,
St.George fort, Chennai.
 - 2.The Principal Secretary and Commissioner,
Hindu Religious and Charitable
Endowment Administrative Department,
Nungampakkam High Road, Chennai.
 - 3.The Joint Commissioner,
Hindu Religious and Charitable Endowments Administrative
Department, Sivagangai.
 - 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Administrative
Department, Virudhunagar.
 - 5.The Executive Officer,
Arulmigu Natchiar(Andal) Thirukoil,
Srivilliputhur.
- : Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, praying to set aside the order dated 28.03.2014 made in W.P.(MD) No.12856 of 2013 on the file of this Hon'ble Court and allow the Writ Appeal.

Prayer in WP(MD) . 12856/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of ~~Secularisation~~ mandamus calling for the entire records Se.A.Nade Na.Ga. NO. 163/2013 a 5 dated 11.07.2013 issued by the 5th



respondent and quash the same and forbear the respondents from evicting the petitioner from his respective residence in 14/4, Natchiyar south mada street, srivilliputhur.

For Petitioner : Mr.R.Ramasamy
For Respondents 1 to 4 : Mr.V.R.Shanmuganathan
Special Government Pleader
For Respondent No.5 : Mr.S.Manohar.

O R D E R

[Order of the Court was made by **M.M.SUNDRESH, J.**]

We do not find any merit in this Writ Appeal. What is challenged in the impugned order before the learned Single Judge, was a notice indicating the proposed action, in view of the failure of the appellant to comply with the mandate.

2.The learned Single Judge has rightly held that the action would follow under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 [for brevity, "the Act"], though the observation is not correct in directing the appellant to go before the Authority under Section 78 of the Act, as it is for the said Authority, to proceed and pass appropriate orders by following the due process of law. Therefore, we are of the view that the challenge made to the impugned order is only pre-mature.

3.Accordingly, this Writ Appeal stands disposed of, with the above said observation.

Sd/-
Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary to Government of Tamil Nadu,
Ministry of Hindu Religious and Charitable
Endowment Administrative Department,
St.George fort, Chennai.

2.The Principal Secretary and Commissioner to
Government of Tamil Nadu,
Hindu Religious and Charitable
Endowment Administrative Department,
Nungampakkam High Road, Chennai.

<https://hcservices.courtsonline.org/> The Principal Secretary and Commissioner,
Hindu Religious and Charitable Endowments Administrative
Department, Sivagangai.



4.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Administrative
Department, Virudhunagar.

5.The Executive Officer,
Arulmigu Natchiar(Andal) Thirukoil,
Srivilliputhur.

+1cc to Special Government Pleader, SR.No. 64594

+1cc to M/S.S.Manohar, Advocate SR.No. 64684

+1cc to M/S.R.Ramasamy, Advocate SR.No. 64743

WA (MD) No.678 of 2014

and

M.P. (MD) Nos. 1 & 2 of 2014

10.07.2017

MR/RMK

JM/SKN RSK/SAR 2/24.07.2017/3P/9C