



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.17692 of 2017

and

W.M.P. (MD) No.14229 of 2017

K.Chellathurai

... Petitioner

Vs.

1.The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment Board,
Office at Tirunelveli Region,
Tirunelveli District.

2.A.Ponni,
Alleged to act as Fit Person,
Sreeman Narayanaswamy Pathi (Temple),
Working as Executive Officer,
Arulmighu Kannivinayagar Temple,
Vadiveeswaram, Nagercoil,
Kanyakumari District.

3.The Deputy Superintendent of Police,
Office at Kanyakumari,
Kanyakumari District.

4.S.Rajasekaran,

5.S.Prabaharan,

6.Jegan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent herein to dispose of the Application/Appeal in R.P.No.1 of 2008 filed by the petitioner herein.

For Petitioner : Mr.R.Murugan
For Respondents 1 & 3 : Mr.M.Alagathevan,
Special Government Pleader
For Respondent No.2 : Mr.K.Sathya Singh
For Respondents 4 to 6: Mr.T.R.Jeyapalam

O R D E R

This writ petition has been filed, seeking a direction to the first respondent to consider and to dispose of the Application/Appeal in R.P.No.1 of 2008 filed by the petitioner.

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2. Heard the learned counsel on either side.

3. The case of the petitioner is that the petitioner, himself claims to be an elected President of South Thamaraikulam Village, in-charge of the Management of Sreeman Narayanaswamy pathi (Temple) and its properties, Agatheeswaram Taluk, Kanyakumari District. With regard to managing the right over the properties an appeal in R.P.No.1 of 2008 is pending before the first respondent, without any further progress for a long time and hence, the petitioner is before this Court with the above relief.

4. At this juncture, the learned counsel for the respondents 1 and 3 would submit that the first respondent is inclined to pass final orders on the appeal in R.P.No.1 of 2008, within a stipulated time fixed by this Court.

5. Considering the limited scope of the relief sought for in the prayer, this Court, without going into the merits of the case, directs the first respondent to consider and dispose of the petitioner's appeal in R.P.No.1 of 2008, on its own merits and in accordance with law, if not disposed earlier, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and respondents 4 to 6 as well as other interested parties, if any.

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

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To:

1.The Joint Commissioner,

Tamil Nadu Hindu Religious and Charitable Endowment Board,
Office at Tirunelveli Region, Tirunelveli District.

2.The Deputy Superintendent of Police, Office at Kanyakumari,
Kanyakumari District.

+One cc to Mr.K.Sathya Singh, Advocate, SR.No.87558

+One cc to Mr.R.Murugan, Advocate, SR.No.87557

+One cc to Mr.T.R.Jeyapalam, Advocate, SR.No.87667

+One cc to The Special Government Pleader, SR.No.87602

rm

RL/7C/2P/SV/MMS/SAR4/30/11/2017

W.P(MD) No.17692 of 2017

15.11.2017