



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD) No.19464 of 2017**

V.Pandurengan

... Petitioner

-vs-

The Commissioner,
HR & CE (Admn.) Department,
Uthamar Gandhi Salai,
Chennai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent Commissioner, (HR & CE) Department, Uthamar Gandhi Salai, Chennai to pass order in R.P.No.97 of 2017 under Section 21 of the T.N.HR & CE Act filed against the proceedings of the Joint Commissioner, HR & CE (Admn.) Department, Madurai made in Na.Ka.No. 5876/2015/A1-4 dated 10.01.2017 in the matter of Ammalu Ammal @ Guruvammal Kattalai, Alwarpuram, Madurai North Taluk, Madurai District and conclude the same within a time frame.

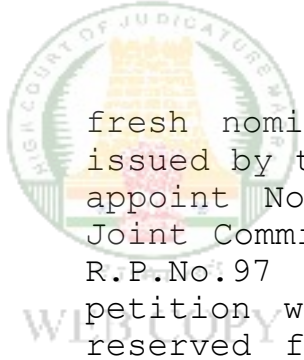
For Petitioner : Mr.F.Deepak

For Respondent : Mr.J.Gunaseelan Muthiah
Govt. Advocate

O R D E R

This writ petition has been filed, seeking a direction to the respondent Commissioner, (HR & CE) Department, Uthamar Gandhi Salai, Chennai to pass order in R.P.No.97 of 2017 under Section 21 of the T.N.HR & CE Act filed against the proceedings of the Joint Commissioner, HR & CE (Admn.) Department, Madurai made in Na.Ka.No. 5876/2015/A1-4 dated 10.01.2017 in the matter of Ammalu Ammal @ Guruvammal Kattalai, Alwarpuram, Madurai North Taluk, Madurai District and conclude the same.

2. The case of the petitioner is that the Trust, by name, Ammalu Ammal attached to Sri Kallalagar Devasthanam, Alagarkovil, Melur Taluk, Madurai District was created by Mrs.Ammalu Ammal @ Guruvammal and the said Trust was administered by five persons, belonging to Naidu Community, who were not the kit and kin of the said Ammalu Ammal and subsequently, the Joint Commissioner has introduced the hereditary system in the Trust, pursuant to which, the application (calling for filling up the Trust Board), filed by the petitioner got rejected and the Joint Commissioner called for



fresh nomination on 10.01.2017 inspite of the specific direction issued by the Commissioner in R.P.No.103 of 2014 dated 10.10.2014 to appoint Non Hereditary Trustees. Aggrieved by the action of the Joint Commissioner, the petitioner has filed a Revision Petition in R.P.No.97 of 2017 before the Commissioner and though the said petition was taken on file and after adjudication, the same was reserved for orders, so far, no orders have been passed in the pending revision. Hence, the petitioner is before this Court for speedy disposal of the said revision petition.

3. Heard the learned counsel on either side.

4. It is seen that the respondent / Commissioner, HR & CE Department, who is the appellate authority in this case, after hearing both sides extensively, has reserved orders on 20.06.2017 and the same still awaits verdict. Since the matter is related to administration of the Trust, it requires immediate attention, otherwise the entire affairs of the management will come to a standstill. Hence, considering the facts and circumstances of the case, this Court directs the respondent to pass orders in the pending revision on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To:

The Commissioner,
HR & CE (Admn.) Department,
Uthamar Gandhi Salai,
Chennai.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 85029
AR
JS/KP/SAR.1/17.11.2017/2P-3C

W.P(MD) No.19464 of 2017
31.10.2017