



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)No.20710 of 2017

A.Chinnaiah

... Petitioner

Vs.

The Joint Commissioner
HR & CE Department,
B- 1 Road Ellis Nagar,
Madurai - 625 016.

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to hear OA 13 of 2015 along with OA 17 of 2002 as per the directions of the common order dated 20.09.2017 in WP(MD) No.8624 of 2014.

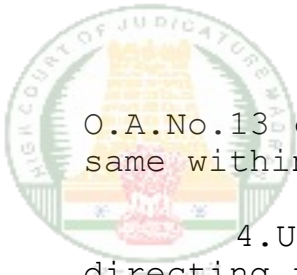
For Petitioner	: Mr.M.V.Venkateshan
For Respondent	: Mr.T.S.Mohamed Mohideen, Additional Government Pleader.

ORDER

This writ petition has been filed praying for the issuance of a writ of Mandamus directing the respondents to hear OA. No.13 of 2015 along with OA No.17 of 2002 as per the directions of the common order dated 20.09.2017 passed in WP(MD)No.8624 of 2014.

2.It is submitted by the learned counsel for the petitioner that some third parties claiming to be the hereditary trustees of the Arulmigu Neivelinathar Ayyanar Temple, E.Malalmpatty, Madurai District, filed O.A.No.17 of 2002 and against the order passed therein, appeals in A.P.Nos.44 and 45 of 2012 were filed. The Commissioner, HR & CE Department, Chennai, after some rounds of litigation, had set aside and remitted back the matter for de-novo enquiry. Being dissatisfied with the order, W.P.(MD)Nos.15194 and 15195 of 2013 and 8624 of 2014 came to be filed, wherein, this Court had directed the Joint Commissioner, HR & CE Department, Madurai to pass appropriate orders in O.A.No.17 of 2012 within a period of six weeks. It is further submitted that the petitioner along with others has also filed O.A.No.13 of 2015, which is kept pending without any progress, before the respondent. Hence, the petitioner prays for a direction to the respondent to hear the O.A.No.13 of 2015 along with O.A.No.17 of 2002.

3.After some detailed and elaborate arguments, it is agreed by all the parties that it will serve the purpose, if a direction is issued to the authorities to take up the the Original Application in



O.A.No.13 of 2015, along with O.A.No.17 of 2002, and dispose of the same within the stipulated time, in the manner known to law.

4.Under such circumstances, this writ petition is disposed of directing the Joint Commissioner, HR & CE Department, Madurai to try O.A.No.13 of 2015 along with O.A.No.17 of 2002 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioners and all interested parties, if any, No costs.

Sd/-

Assistant Registrar(CRL. SIDE)

/True Copy/

Sub Assistant Registrar

To

The Joint Commissioner
HR & CE Department,
B- 1 Road Ellis Nagar,
Madurai - 625 016.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 87034

+2cc to M/s.M.V.VENKATASESHAN Advocate in SR. No. 86433

DSK

JS/KK/SAR.1/24.11.2017/2P-5C

**ORDER MADE IN
W.P (MD) No.20710 of 2017
10.11.2017**