

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.4543 of 2018
and
WMP.No.5596 of 2018

P.Vijaya Lakshmi
W/o.P.K.Palanisamy

.. Petitioner

Vs.

1. The Secretary
Tourism, Culture and Religious Endowments Department
Government of Tamil Nadu
Fort St.George,
Chennai-600 009.
 2. The Commissioner
Hindu Religious & Charitable Endowments Department
No.119, Uthamar Gandhi Salai
Nungambakkam, Chennai-600 034.
 3. The Joint Commissioner
Hindu Religious & Charitable Endowments Department
Coimbatore Division
Dr.Balasundaram Road,
Coimbatore - 641 018.
 4. The Fit Person
A/m.Ponkaliamman Temple
Palladam, Tirupur District.
- .. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the respondents from initiating any proceedings in furtherance of impugned order dated 20.01.2018 of the 2nd respondent made in Na.Ka.No.21735/2017/M2 pending disposal of the above revision petition filed on 15.02.2018 on the file of the 1st respondent.

For Petitioner : Mr.V.Srikanth

For Respondents : Mr.M.Maharaja
Special Government Pleader

O R D E R

Mr.M.Maharaja, learned Special Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus forbearing the respondents from initiating any proceedings in pursuant to the impugned order of the second respondent dated 20.01.2018, pending disposal of the revision petition filed by the petitioner on 15.02.2018 before the 1st respondent.

3. The grievance of the petitioner before this Court is that when a revision is filed before the first respondent against the order of the second respondent and such revision is still pending for consideration, the petitioner shall not be dispossessed from the property, which is the subject matter of revision.

4. Needless to say that this Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner in respect of the subject matter property, as it is for the first respondent / Revisional Authority to consider and decide such claim. However, such apprehension of the petitioner is against the imminent dispossession in pursuant to the order passed by the second respondent, which is the subject matter of challenge before the first respondent, this Court, is inclined to dispose of this writ petition as follows:

(a) The first respondent shall consider the revision filed by the petitioner dated 15.02.2018 and pass orders on the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

(b) Till an order is passed by the first respondent, the parties are directed to maintain status quo as on today.

(c) This Court, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide the same.

5. Accordingly, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

mk

To

1. The Secretary
Tourism, Culture and Religious Endowments Department
Government of Tamil Nadu
Fort St.George, Chennai-600 009.
2. The Commissioner
Hindu Religious & Charitable Endowments Department
No.119, Uthamar Gandhi Salai
Nungambakkam, Chennai-600 034.
3. The Joint Commissioner
Hindu Religious & Charitable Endowments Department
Coimbatore Division
Dr.Balasundaram Road,
Coimbatore - 641 018.

+lcc to Mr. V.Srikanth, Advocate S.R.No.15836
+lcc to Government Pleader S.R.No.15954

सत्यमेव जयते

W.P.No.4543 of 2018

RRK(19/03/2018)

WEB COPY