

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15588 of 2018

Arulmighu Aathi Karumapuram
Sellandiamman Kudippaattukararkal Seva Trust
rep by its Member Trustee K.Rajeshkumar,
Sellandiamman Temple premises,
Karumapuram, Thiruchengode Taluk,
Namakkal District. ... Petitioner

Vs.

The Joint Commissioner,
Tamil Nadu HR & CE Department,
Salem - 636 004. ... Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to number the two applications filed by the petitioner namely I.A.No. of 2017 in O.A.R.C.No. 11241 of 2009 filed by Alangaram and others on 21.07.2017 and O.A.No. of 2018 filed on 07.05.2018 (assigned with RC.No.5183/2018) titled "Arulmighu Aathi Karumapuram Sellandiamman Kudippaattukararkal Vs. Arunachala Pandaram died and others", adjudicate and pass orders on the same within a time frame.

For Petitioner : Mr.N.Subramaniyan
For Respondent : Mr.M.Maharaja,
Special Government Pleader

सतयमेव जयते
O R D E R

This Writ Petition has been filed seeking for a Writ of Mandamus directing the respondent to number the applications filed by the petitioner namely I.A.No. of 2017 in O.A.R.C.No. 11241 of 2009 filed by Alangaram and others on 21.07.2017 and O.A.No. of 2018 filed on 07.05.2018 (assigned with RC.No.5183/2018) titled "Arulmighu Aathi Karumapuram Sellandiamman Kudippaattukararkal Vs. Arunachala Pandaram died and others", adjudicate and pass orders on the same within a time frame.

2.The petitioner is a member of the Board of Trustees of Arulmighu Aathi Karumapuram Sellandiamman Kudippaattukararkal Seva Trust. The petitioner is a registered Trust and the Trust Deed has been executed and registered as Document No.6 BK IV/2017 on 01.12.2017 on the file of the Sub Registrar, Thiruchengode by the Poruleentha Kula Kongu Vellalla Gounders, a sub-sect of Kongu Vellalla community in Tamil Nadu.

3.The learned counsel appearing for the petitioner submitted that the un-numbered O.A. filed in the year 2009 has not been taken on file till date on the ground that the same is not numbered. Hence, seeks a direction to the respondent to number the O.A., filed in the year 2009 and also all other I.As filed by the petitioner.

4.At this stage, the learned Special Government Pleader appearing for the respondent submitted that within one week's time all the pending O.As and I.As will be numbered, if the same are in order and thereafter, within six months time, all the O.As and I.As will be disposed of on merits and in accordance with law.

5.This Court is not inclined to grant six months time as the applications are pending from the year 2009 and feels that three months time is enough for the disposal of the applications. Accordingly, the respondent is hereby directed to number all the pending O.As and I.As pending from 2009 to till date, within one week, if the same are in order. The petitioner shall be permitted to rectify the defects within one week's time. Even after granting one week's time, if the defects are not rectified, it is open to the respondent to take on Board the matter and pass orders on merits. The respondent shall consider and dispose of all the O.As and I.As, whichever is numbered, on merits by hearing the parties, within a period of three months.

6.With these directions, the Writ Petition is disposed of. No costs.

s/d-

Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

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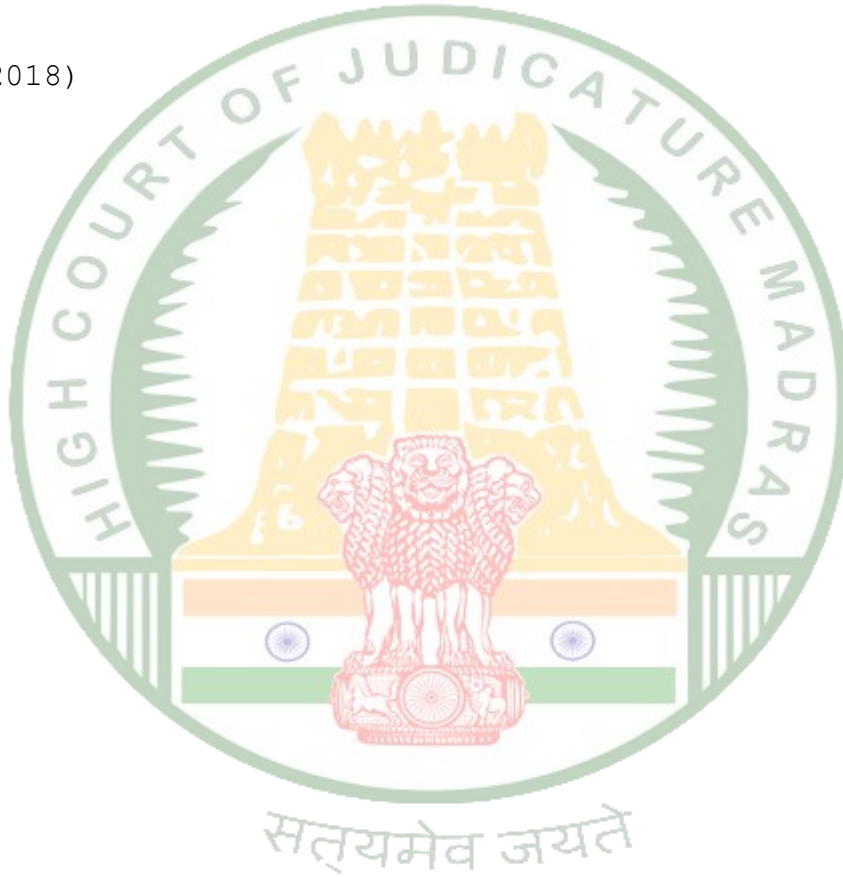
To

The Joint Commissioner,
Tamil Nadu HR & CE Department,
Salem - 636 004.

+1 CC to Govt. Pleader sr 41557.

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SP(02/07/2018)



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