

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.12288 of 2019  
and  
W.M.P.No.12576 of 2019

A.S.Raja

... Petitioner

Vs.

- 1.The Commissioner  
Hindu Religious & Charitable Endowments Department  
Nungambakkam, Chennai-600 034.
- 2.The Joint Commissioner  
Hindu Religious & Charitable Endowments Department  
Sathuvachari, Vellore-9.
- 3.The Assistant Commissioner  
Hindu Religious & Charitable Endowments Department  
Arulmighu Lakshmi Narasimhaswami Thirukovil  
Sholingar, Vellore District.
- 4.The Executive Officer  
Hindu Religious & Charitable Endowments Department  
Arulmighu Lakshmi Narasimhaswami Thirukovil  
Sholingar, Vellore District.
- 5.S.Jagatheswaran
- 6.L.Kothandamoorthy

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Joint Commissioner, Vellore of the Hindu Religious and Charitable Endowment Department (HR&CE) - the second respondent herein to dispose the appeal vide AP.No.1 of 2019 filed by the petitioner herein as expeditiously as possible, within a reasonable time frame.

For Petitioner : Mr.B.Jaganath  
For Respondents: Mr.M.Maharaja  
Special Government Pleader  
for R1 to R4

O R D E R

Mr.M.Maharaja, learned Special Government Pleader takes notice for the respondents 1 to 4. Since this writ petition is being disposed of without affecting the interest of the respondents 5 & 6, notice to the said respondents is dispensed with.

2. The petitioner seeks for a mandamus directing the second respondent to dispose of the appeal in Appeal No.1 of 2019.

3. It seems that the third respondent through proceedings dated 12.01.2019 passed an order, wherein and whereby, he has recognized certain ritual rights given at the Temple called Arulmigu Lakshmi (Yoga) Narasimhaswamy Thirukovil, Sholingur to the respondents 5 & 6 herein. It is seen that the petitioner challenged the said order before the second respondent in Appeal No.1 of 2019 on 25.03.2019. Now, the said appeal is sought to be disposed of at an early date, by contending that the petitioner's right has been wrongly refused to be recognized by the third respondent while passing the order on 12.01.2019.

4.This Court, at this stage is not expressing any view on the merits of the claim made by the petitioner or the merits of the order passed by the third respondent, which is the subject matter of appeal before the second respondent, as those issues have to be considered and decided on its own merits and in accordance with law by the second respondent while disposing the appeal. Since the limited prayer sought for in this writ petition is to dispose of the said appeal, without expressing any view on the merits of the claim made by the petitioner, this Writ Petition is disposed of, only by directing the second respondent to dispose of the appeal and pass orders on the same on merits and in accordance with law, after hearing the petitioner, as well as the respondents 5 & 6 and other interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

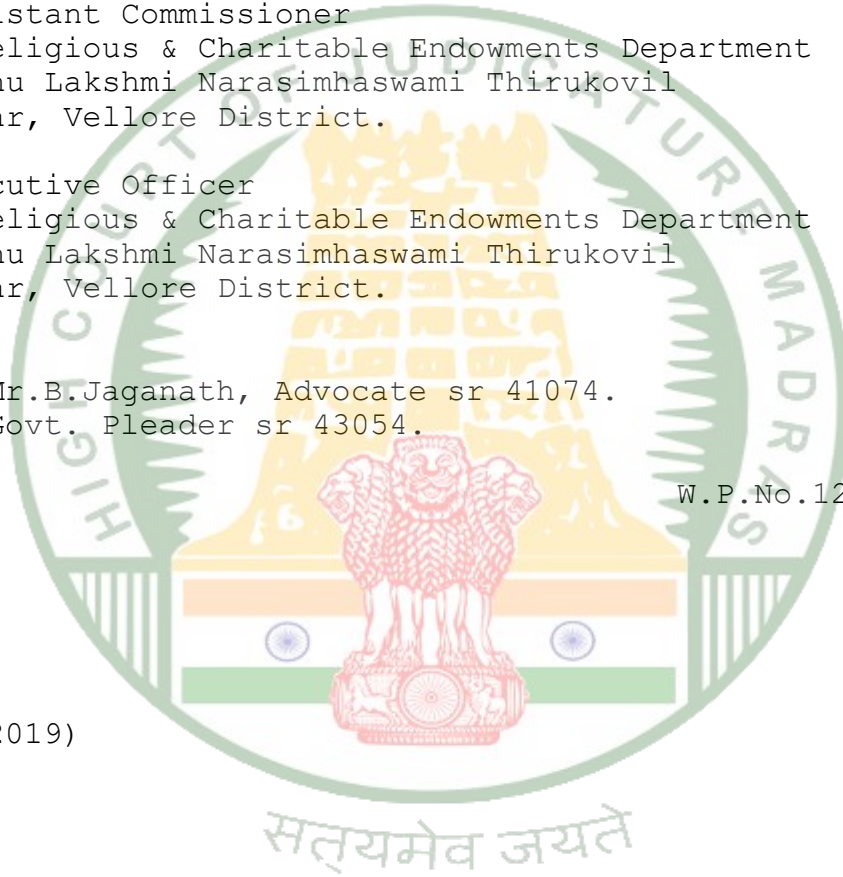
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To

- 1.The Commissioner  
Hindu Religious & Charitable Endowments Department  
Nungambakkam, Chennai-600 034.
- 2.The Joint Commissioner  
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Sathuvachari, Vellore-9.
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Sholingar, Vellore District.
- 4.The Executive Officer  
Hindu Religious & Charitable Endowments Department  
Arulmighu Lakshmi Narasimhaswami Thirukovil  
Sholingar, Vellore District.

+1 CC to Mr.B.Jaganath, Advocate sr 41074.  
+1 CC to Govt. Pleader sr 43054.

W.P.No.12288 of 2019

VGI (CO)  
SP(06/06/2019)



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