

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.05.2019

CORAM:

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WRIT PETITION NO.14133 OF 2019
& WMP NOS.14192 OF 2019

M.Periyathambi

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious & Charitable Endowment Board,
No.118 Nungambakkam High Road,
Chennai - 34
2. The Joint Commissioner, HR & CE, Thanjavur
3. The Sub Divisional Judicial cum Revenue Divisional Officer,
Thanjavur
4. The Tahsildar, Orathanadu, Thanjavur District
5. The Inspector of Police, Vattathikottai, Thanjavur Dist.
6. Palanivel
7. Ravi
8. Panneer Selvam
9. Mathiyalagan
10. Karunanithi

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to dispose R.C.No.22573/2017 expeditiously in view of the Tamil Nadu Temple Entry Authorisation Act, 1947, and in view of the judgment of the Hon'ble Apex Court 2016 (2) SCC 725.

For Petitioner	:	Mr. P.Vijendran
For R-1 & R-2	:	Mr. M.Maharaja, Spl.G.P.
For R-3 to R-5	:	Mr. M.Elumalai, Govt. Advocate

O R D E R

Even though there are private respondents in the writ petition (respondents 6 to 10 herein), this Court is not inclined to issue notice to them, as no adverse order is going to be passed in this writ petition against them.

2. The petitioner submitted that he has preferred an Appeal and the same is pending before the authority (first respondent herein), which has to be disposed of within a time frame.

3. It is represented by Mr.M.Maharaja, learned Special Government Pleader that subsequent to the orders of the Madurai Bench of this Court, dated 21.03.2019 in W.P.(MD) No.15158 of 2017, the petitioner has preferred a representation for Appeal, which is defective and the authorities have requested the petitioner to re-present the same and the same is yet to be re-presented.

4. In reply, Mr.P.Vijendran, learned counsel for the petitioner submitted that the defects have been complied with and the application has been re-presented.

5. Even though the petitioner has sought for an interim relief, seeking interim injunction restraining the private respondents (R-6 to R-10) from celebrating the Temple festival with ex-communicating the Adi-Dravidar People from participating in the temple festival, this Court is not inclined to grant such a relief, as no prejudice is going to be caused to the private respondents, if the Appeal is heard and disposed of at the earliest point of time after hearing all the parties concerned who are likely to be affected by an adverse order.

6. In view of the above, the appropriate / concerned Authority shall hear all the parties concerned and take a decision, on the Appeal filed by the petitioner, within a period of one month from the date of receipt of a copy of this order.

7. The writ petition is disposed of accordingly. No costs. Consequently, the connected WMP is closed.

Sd/-

सत्यमेव जयते Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

srk

To

1. The Commissioner,
Hindu Religious & Charitable Endowment Board,
No.118 Nungambakkam High Road,
Chennai - 34

2. The Joint Commissioner,
HR & CE, Thanjavur
3. The Sub Divisional Judicial cum Revenue Divisional Officer,
Thanjavur
4. The Tahsildar, Orathanadu,
Thanjavur District
5. The Inspector of Police,
Vattathikottai, Thanjavur Dist.

+1cc to Mr.P.Vijendran, Advocate, S.R.No.43554

+1cc to the Government Pleader, S.R.No.43616

W.P.No.14133 of 2019
& WMP Nos.14192 of 2019

JP(CO)
CS/20/05/2019



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