

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 17.05.2019

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.14475 of 2019
and
W.M.P.No.14487 of 2019

M.Mahalingam

... Petitioner

vs

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thanjavur.

3.The Executive Officer,
Arulmigu Abayavaratharajaperumal Temple,
Alangudi,
Valangaiman Taluk,
Thiruvarur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents 1,2 & 3 from interfering with the petitioner's peaceful enjoyment and possession of the land comprised in Survey No.57/3 measuring to an extent of Acre 1.19 cents situated at Alangudi Village, Valangaiman Taluk, Thiruvarur District pending disposal of Revision dated 13.05.2019 on the file of the 1st respondent.

For Petitioner : Mr.Janardhanan for Mr.R.Murali

For Respondents: Mr.M.Maharaja,
Special Government Pleader

ORDER

The writ petitioner had filed the present Writ Petition on 14.05.2019. One day prior to the filing of this Writ Petition,

on 13.05.2019, he had also filed a Revision before the first respondent. The Revision and the Writ Petition pertain to seeking protection from interference of the petitioner's peaceful possession and enjoyment of a land in Survey No.57/3, measuring to an extent of 1.19 Acre situated in Alangudi, Velangaiman Taluk, Thiruvavarur District.

2.The Court is not able to comprehend as to why the writ petitioner filed a Revision before the competent authority and on the very next day filed a Writ Petition for the very same relief.

3.Mr.V.C.Janardhanan, learned counsel appearing for Mr.R.Murali, learned counsel for the writ petitioner stated that the first respondent must be directed to dispose of the Revision already filed on 13.05.2019. The learned counsel further submits that till the said disposal, his possession of the property in question must be protected. He also states that a stay petition has also been filed before the competent authority.

4.If that be the case, if the petition is in order, the respondents, particularly, the first respondent, before whom the Revision has been filed, is directed to pass appropriate orders in accordance with law on the stay petition and also on the main Revision without any delay, preferably on or before 15.06.2019. It is hoped that the respondents would not take coercive action against the petitioner, before the order is passed on or before 15.06.2019.

5.With the above observation, the writ petition is disposed of. No costs Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(V/O)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

tsg/ssi

To

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai - 600 034

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2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thanjavur.

3.The Executive Officer,
Arulmigu Abayavaratharajaperumal Temple,
Alangudi,
Valangaiman Taluk,
Thiruvarur District.

+1cc to Mr.R.Murali, Advocate Sr.44068

+1cc to the Special Government Pleader Sr.44061

W.P.No.14475 of 2019
and
W.M.P.No.14487 of 2019

rsv[co]
srg 24/05/2019



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