

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No. 29071 of 2019
and
WMP No.28851 of 2019

K. Chenniappan

... Petitioner

-Vs-

1. The Commissioner,
Hindu Religious & Charitable
Endowment Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
2. The Joint Commissioner,
Hindu Religious & Charitable
Endowment Department,
Coimbatore Division,
Dr. Balasundaram Road,
Coimbatore - 18.
3. The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Department,
Coimbatore Division,
Dr. Balasundaram Road,
Coimbatore - 18.
4. The Executive Officer,
A/m. Venugopala Krishnaswamy Temple,
Sulliavan Street, Koval Nagar and Taluk,
Coimbatore.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents from dispossessing the petitioner from the land and superstructure measuring 3118 sq.ft comprised in T.S.No.12, Block No.1, bearing Door No.647, Survey No.343, Sulliavan Street, Coimbatore Taluk and District till the disposal of the Revision Petition in R.P.No.218 of 2019 pending on the file of the first respondent.

For Petitioners : Mr. S. Siva Shanmugam

For Respondents : Mr. M. Maharaja,
Special Government Pleader
(HR & CE)

O R D E R

This writ petition has been filed to forbear the respondents from dispossessing the petitioner from the property.

2. The learned counsel for the petitioner would submit that challenging the order of eviction passed by the 2nd respondent under Section 78 of the HR & CE Act, a Revision Petition has been filed before the first respondent/Commissioner, HR & CE along with stay petition and the stay petition is posted for hearing on 14.10.2019.

3. In as much as the petitioner has already filed a revision challenging the order passed by the second respondent, the petitioner cannot maintain the present writ petition.

4. In the above circumstances, this Writ Petition is dismissed. However, the first respondent is directed to dispose the stay petition on or before 24.10.2019. The respondents are directed not to dispossess the petitioner till the final order is passed in the stay petition. No Costs. Consequently connected Miscellaneous Petition is closed.
mrp

Sd/-
Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The Commissioner,
Hindu Religious & Charitable
Endowment Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.

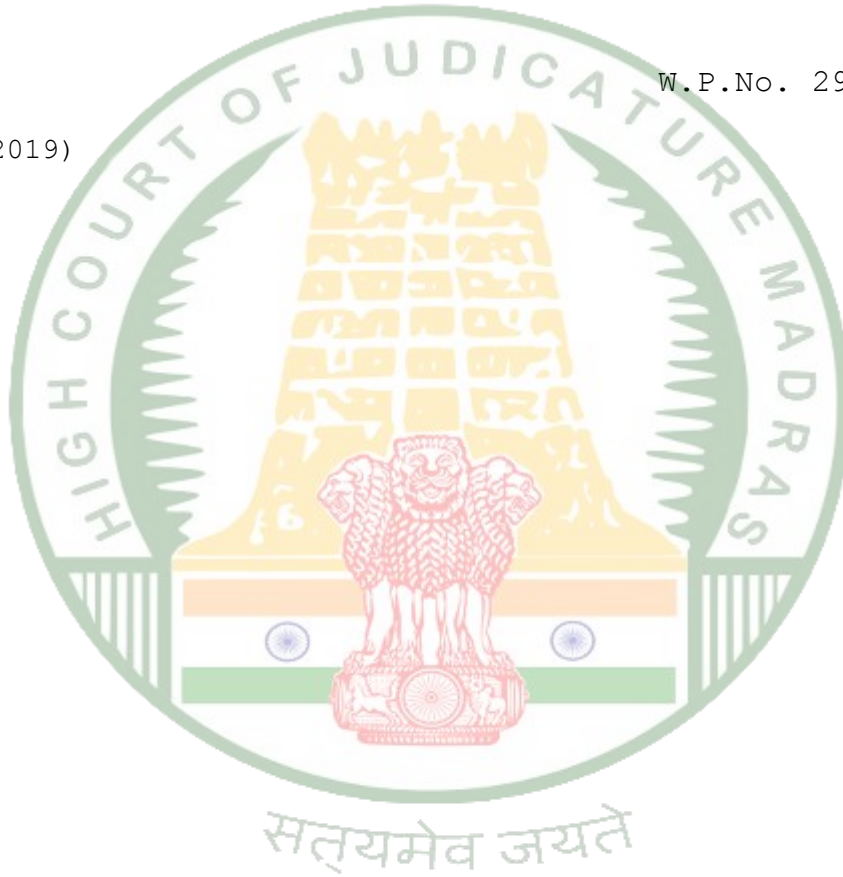
2. The Joint Commissioner,
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Coimbatore.

W.P.No. 29071 of 2019

Kak(09/10/2019)



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