

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.12.2019

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.35296 of 2019

Marappa Gounder

.. Petitioner

..Vs..

1.The Joint commissioner
Hindu Religious and Charitable
Endowment Department,
Salem,

2.A.Subramani
Trustee, A/M, Athanooramman Temple
Valarasampalayam,
Padaveedu Village,
President -Kongu vellala Gounders of Kooraikulam,
Pangaligal Samudaya Arakattalai,
76, High School Road,
Murungaikadu, Komarapalayam 638 183
Tiruchengode Taluk, Namakka, District.

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to dispose of the O.A.No.5/2015 with a time fixed by this Court.

For Petitioner : Mr.S.Sethuraman

For R1 & R2 : Mr.M.Maharaja
Special Govt. Pleader

O R D E R

The Writ Petition has been filed in the nature of mandamus seeking to direct the first respondent to dispose of the O.A.No.5/2015.

2.It is stated that A.S.11/95 infact was listed today before the learned Single Judge of this Court.

3.The learned counsel appearing for the petitioner

submitted that A.S.11/1995 was dismissed earlier and only review application is pending. There is no interim order granted in the review application. It is also stated that after hearing the review application the learned single Judge has also restored A.S.11/95. Even though it is stated that there is no interim order in A.S.11/95, the petitioner also has an option of seeking specific directions whether pendency of the A.S.11/95 would be a bar to the respondent to dispose of O.A.No.5/2015. Even though, only after A.S.No.11/95 attains finality, and if there is no further appeal before the Hon'ble Supreme Court, can the respondent take up to consideration O.A.No.5/15 for disposal within a reasonable time.

4.With the above observation the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vsn

To,

The Joint commissioner
Hindu Religious and Charitable
Endowment Department,
Salem.

+1cc to Mr.S.Sethuraman, Advocate, S.R.No. 106085
+1cc to the Special Government Pleader, S.R.No.106619

W.P.No.35296 of 2019

RR(CO)
GN(31/01/2020)