



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.23434 of 2018

WEB COPY

S.Ganesan

... Petitioner

Vs

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Board,
Madurai.

2.The Assistant Commissioner,
H.R& C.E. Board,
Dindigul.

3.Fit Person,
Arulmigu Sri Muthumariyamman Thirukovil,
Jakkampatti,
Aandipatti Taluk,
Theni.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to take the petitioner's Appeal Petition dated 02.07.2018 filed along with condone delay petition and number the delay petition in filing appeal and dispose the same in accordance with law within a time stipulated by this Court.

For Petitioner : Mr.V.Meenakshisundaram
for Mr.D.Nallathambi

For R1 and R2 : Mr.M.Karuppasamy
Government Advocate

For R3 : Mr.V.Chandrasekar

ORDER

The petitioner herein is aggrieved by the order dated 30.12.2013 passed by the Assistant Commissioner, Hindu Religious and Charitable Endowments Department, Dindigul appointing a fit person for Arulmighu Muthumariamman Temple, Jakkampatti, Aandipatti Taluk. The first respondent is the jurisdictional appellate authority. Since the subject matter got entangled in certain writ proceedings,



there was a delay in filing the appeal. The petitioner has filed the appeal along with a petition for condone delay. Eventhough, this was filed way back in July, 2018, it is not being numbered and disposed of speedily.

2.I am of the view that no exception can be taken to this request. Therefore, the first respondent is directed to number the condone delay petition and after putting the interested person on notice dispose of the same on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

3.Registry to return the original papers filed by the petitioner along with this writ petition after they are substituted by photocopies.

4.This writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS III)

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To

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Board, Madurai.

2.The Assistant Commissioner,
H.R& C.E. Board, Dindigul.

Copy To:

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.D.NALLATHAMBI, Advocate (SR-58786[F] dated 04/04/2019)

+1 CC to M/s.SPL GP (SR-58919[F] dated 04/04/2019)

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