



WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.07.2019**

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P(MD)No.16317 of 2019

and W.M.P(MD) Nos.12974 and 12975 of 2019

Badhusha

... Petitioner

Vs.

1.The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowment Department,
Nungambakka,
Chennai.

2.The Joint commissioner,
Tamil Nadu Hindu Religious,
and Charitable Endowment Department,
Ellis Nagar,
Madurai.

3.The Joint Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the third respondent to reopen the shop bearing Door.No.179, East Masi Street, Madurai (Ground Floor and First Floor) and permit the petitioner to run the shop in compliance with the order dated 03.06.2019 made in M.P.No.1 of 2019 in R.P.No.160 of 2019 on the file of the first respondent.

For Petitioner	: Mr.R.G.Shankar Ganesh
For Respondents	: Mrs.J.Padmavathy Devi Special Government Pleader

O R D E R

The writ petitioner prays for a direction to the third respondent to re-open the shop bearing Door No.179, East Masi Street, Madurai, and permit the petitioner to run the shop.

2. An order was passed by the Joint Commissioner evicting the petitioner from the shop in question on the ground of arrears of rent. The petitioner has challenged the same by way of a revision petition filed in terms of Section 21 of the Tamilnadu Hindu Religious and Charitable Endowment Act, 1959, before the Commissioner of Hindu Religious and Charitable and Endowments Department.



3. *Inter alia* an application has been filed seeking a stay of operation of the order impugned in the revision petition. The Commissioner, while entertaining the revision, granted an order of stay dated 15.05.2019 for a period of five weeks and directed the respondent to file a counter. The matter was posted thereafter on 08.07.2019. It appears that on the aforesaid date there was no sitting of the Commissioner, as a result of which the respondent proceeded immediately to shut the shop, in the absence of an extension of the stay granted earlier. Hence, this writ petition.

3. In the meanwhile, it appears that the revision petition and the connected stay application were listed before the Commissioner on 22.07.2019 and the Commissioner has extended the order of stay granted earlier by him. This has transpired after filing of the present writ petition.

4. Needless to say, the respondents will act in line with the order of extension of stay granted by the Commissioner on 22.07.2019.

5. In the light of the order of extension of stay dated 22.07.2019, no further orders are necessary in this writ petition and the same is closed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (A.S)

// True Copy //

Sub Assistant Registrar(CS)

1.The Commissioner, Tamil Nadu Hindu Religious and Charitable Endowment Department, Nungambakkam, Chennai.

2.The Joint commissioner, Tamil Nadu Hindu Religious, and Charitable Endowment Department, Ellis Nagar, Madurai.

3.The Joint Commissioner/Executive Officer, Arulmigu Meenakshi Sundareswarar Temple, Madurai.

+1 CC to M/s.R.G.SHANKARGANESH, Advocate SR-76854.

+1 CC to SPL GP SR-77176.

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