

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.05.2020

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.7726 of 2020

AVC Education Committee
Rep. by its Secretary
Mannampandal
Mayiladuthurai Town
Nagapattinam District - 609 305.
Tamil Nadu.

... Petitioner

Vs

1. The Commissioner
Hindu Religious & Charitable Endowment Board
Nungambakkam
Chennai-600 034.

2. The Joint Commissioner
Hindu Religious & Charitable Endowment Board
Mayiladuthurai.

3. Dharmapuram Aadheenam Mutt
Rep. by its Manager
Dharmapuri, Mayiladuthurai.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying Writ of Mandamus, directing the 1st and 2nd respondent to pass orders based on the application of the 3rd respondent in Na.Ka.No.465/409 dated 21.03.2020, followed by the petitioner representation dated 23.03.2020 within the time limit.

For Petitioner : Mr.R.Sivakumar
M/s.K.M.Vijayan Associates
For Respondents : Mr.M.Karthikeyan
Special Government Pleader
for R1 & R2
Mr.S.Sounthar, for R3

ORDER

This matter is taken up for hearing through Video-Conferencing mode.

2. Mr.M.Karthikeyan, learned Special Government Pleader takes notice for the respondents 1 and 2. Mr.S.Sounthar, learned counsel takes notice for the third respondent. By consent, the main writ petition itself is taken up for final disposal in view of the limited prayer sought for in this writ petition.

3. The petitioner seeks for a mandamus directing the respondents 1 and 2 to pass orders on the application filed by the third respondent dated 21.03.2020 filed under Section 34 of the Hindu Religious and Charitable Endowments Act, seeking for permission to grant long term lease in favour of the petitioner in respect of the subject matter land.

4. It is admitted by both sides that the above representation is made by the third respondent before the respondents 1 and 2, in pursuant to an order passed by the Division Bench of this Court in W.A.No.294 of 2019 dated 06.02.2019, subsequently modified on 30.08.2019.

5. The learned Special Government Pleader appearing for the respondents 1 and 2 submitted that the said request made by the third respondent dated 21.03.2020 followed by the representation of the petitioner dated 23.03.2020 have to be considered and decided only after following certain procedures and therefore, sufficient time may be given to the first respondent to pass orders on the application of the third respondent dated 21.03.2020.

6. Considering the above stated facts and circumstances and further considering the fact that the application of the third respondent was made on 21.03.2020 and that the petitioner is running an Educational Institution in the subject matter property, without expressing any view on the merits of the claim made by the petitioner or third respondent, this writ petition is disposed of, by directing the first respondent to pass orders on the application of the third respondent dated 21.03.2020 followed by the representation of the petitioner dated 23.03.2020, within a period of six weeks from the date of receipt of a copy of this order, on merits and in accordance with law. No costs.

22.05.2020

mk/vri

Speaking/Non-speaking

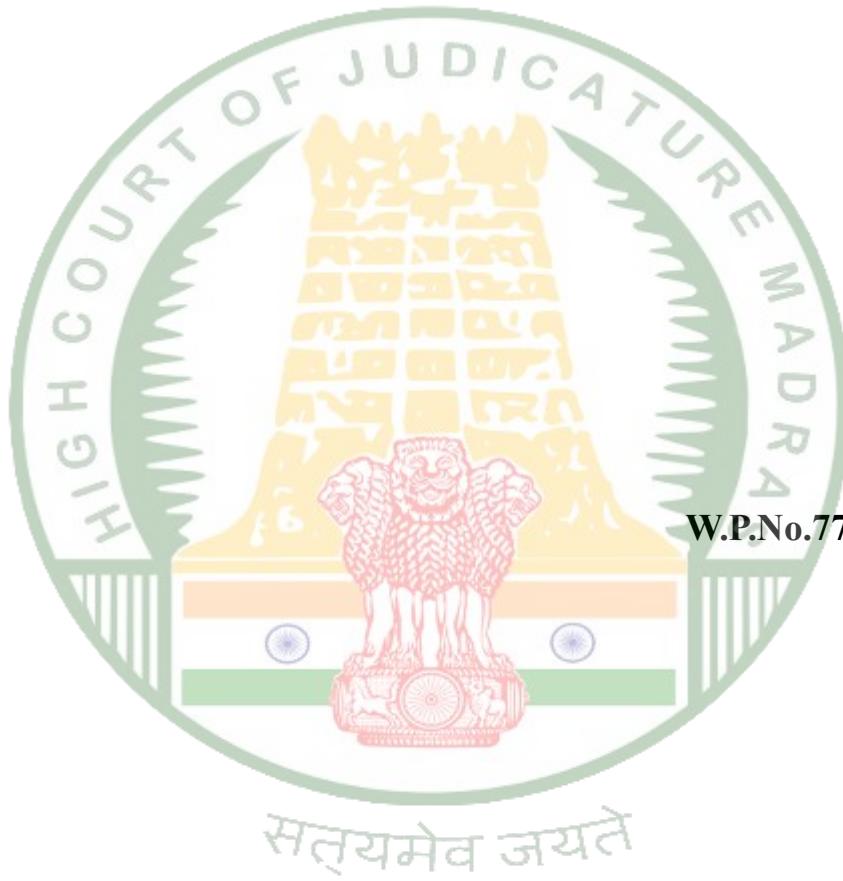
Internet : Yes/No

Index : Yes/No

Note: Issue order copy on 26.05.2020

K.RAVICHANDRABAABU.J.,

mk/vri



W.P.No.7726 of 2020

WEB COPY

22.05.2020