



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2021

CORAM

THE HON'BLE Mr.JUSTICE M.SUNDAR

W.P.No.13882 of 2013

and

M.P.No.1 of 2013

A.Sundar
S/o.P.S.Anandaraman

... Petitioner

-Vs.-

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
- 2.The Joint Commissioner, Chennai
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
- 3.The Assistant Commissioner, Chennai
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
- 4.The Fit Person,
Sri Kanagavalli Thayar Samedha Sri Vaikunda Vasa Perumal
Temple,
Brahmin Street, Jamin Pallavaram, Chennai 600 113.
also the Executive Officer of A/m.Ranganatha Perumal Temple,
Tiruneermalai, Chennai 600 044.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the entire records pertaining to the impugned notice dated 30.04.2013 issued by the fourth respondent and quash the same.

For Petitioner : Mr.V.Srikanth

For Respondents : Mr.NRR.Arun Natarajan,
Government Advocate for R1 to R3
No Appearance for R4



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O R D E R

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 16.07.2021 by Hon'ble Predecessor Judge. These proceedings read as follows:

'On 11.03.2020, this Court directed that the petitioner will appear before the Joint Commissioner/R2 on 18.03.2020 and further directed the Joint Commissioner to pass orders on or before 29.04.2020, after hearing the parties.

2. Nothing appears to have been done on account of the intervening pandemic. Order passed on 11.03.2020 is reiterated except alteration of timeline. The parties will appear before the Joint Commissioner/R2 on Tuesday, the 22nd of July, 2021 at 10.30 a.m without anticipating any further notice. Orders shall be passed on or before 30.08.2021.

3. List on 31.08.2021 for production of orders.'

2.Today, Mr.V.Srikanth, learned counsel for sole writ petitioner and Mr.NRR.Arun Natarajan, learned State counsel for respondents 1 to 3 are before me. Fourth respondent [Fit person] has entered appearance through a counsel, name of the counsel is shown in the cause list, but there is no representation.

3. However, in the light of common submissions made by counsel for writ petitioner as well as State counsel, this writ petition can be disposed of by making an innocuous order, which will not prejudice anyone much less fourth respondent.

4. This Court is informed that the proceedings under Section 63(b) of 'The Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959)' which shall hereinafter be referred to as 'TN HR & CE Act' is underway and some more time is required to complete the proceedings. This Court is informed that there is a bifurcation of the office of Joint Commissioner for administrative convenience and the proceedings under Section 63(b) of TN HR & CE Act are now before Joint Commissioner, Kancheepuram. Learned State counsel undertakes to communicate this order to Joint Commissioner, Kancheepuram.

5. Suffice to say that Joint Commissioner, Kancheepuram to proceed with the petition under Section 63(b) of TN HR & CE Act on its own merits, in accordance with law and dispose of the same as expeditiously as his business would permit and in any event within twelve(12) weeks from today i.e., on or before 30.12.2021.



6. Writ petition disposed of with the above directives. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter. There shall be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
- 2.The Joint Commissioner, Chennai
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
- 3.The Assistant Commissioner, Chennai
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
- 4.The Joint Commissioner,
Kancheepuram.

+1cc to M/s.R.Mahalingam, Advocate Sr No.47955
+1cc to the Government Pleader Sr No.48082

W.P.No.13882 of 2013
and M.P.No.1 of 2013

AK (CO)
PR (06/10/2021)