

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.3913 of 2021 &
WMP.Nos. 4463, 4467 & 4466 of 2021

Gopalakrishnan

... Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments
Department,
119 Uthamar Gandhi Salai,
Nungambakkam, Chennai- 600 034.

2. The Executive Officer/
Joint Commissioner of HR and CE,
Arulmighu Kapleeswarar Thirukoil,
Mylapore,
Chennai- 600 004.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Certiorarified Mandamus to call for the entire records pertaining to the impugned order passed by the executive Officer/ Joint Commissioner of HR and CE Arulmighu Kapaleeswarar Thirukkivil, Mylapore, Chennai- 600004 the 2nd respondent herein vide his proceedings No.Na.Ka.No.124/2012/ A4 dated 13.09.2019 and quash the same as illegal arbitrary unreasonable being violative of rules and principles of natural justice and thereby direct the respondents herein to remove the seal on the premises bearing No.53 G.N.Chetty Road Mylapore Chennai- 600 004.

For Petitioner : Mr.A.R.Suresh
For Respondents : Mr.R.P.Pratap Singh,
Government Advocate

O R D E R

The petitioner challenges order dated 13.09.2019 passed by the 2nd respondent/The Executive Officer, Arulmighu Kapaleeswarar Thirukoil, Mylapore, Chennai by way of this Writ Petition filed on 17.02.2021.

2. The explanation for the delay is that the impugned order has been furnished to the petitioner only in the course of hearing of W.P.No.27468 of 2019 on 27.09.2019. The learned single Judge, has extracted, in that order, the counter filed by the respondent/ Hindu Religious and Endowments Department, in full. Paragraph 10 of the counter refers to order dated 13.09.2019, impugned in this writ petition, which, according to the respondents had not been served upon the petitioner, as his address was not known to the authorities. The order was handed over to the counsel only on 27.09.2019.

3. There is no acceptable explanation in regard to the delay between 27.09.2019 and the date of filing of the Writ Petition, which is 17.02.2021. The affidavit filed in support of the writ petition, at paragraph No.10, simply states that the petitioner was 'taking treatment' and no elaboration is set out.

4. In the aforesaid circumstances, I am not inclined to interfere in the impugned order and this writ petition is thus dismissed. No costs. Connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar(CS II)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

sl

To

1. The Commissioner,
Hindu Religious and Charitable Endowments
Department, 119 Uthamar Gandhi Salai,
Nungambakkam, Chennai- 600 034.

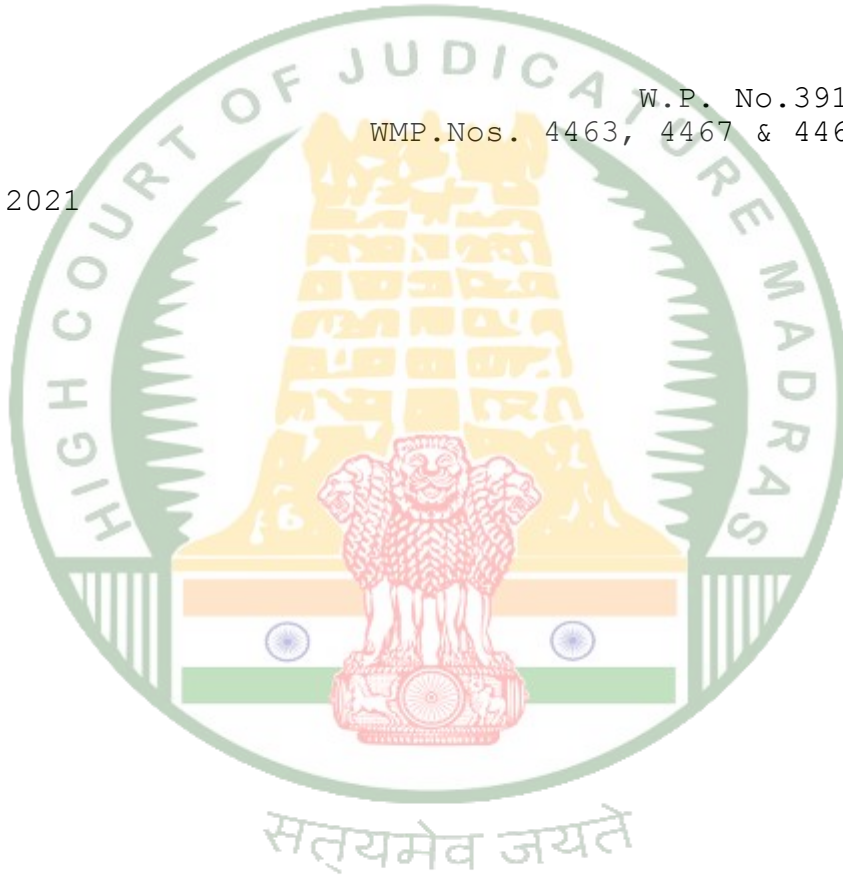
WEB COPY

2. The Executive Officer/
Joint Commissioner of HR and CE,
Arulmighu Kapleeswarar Thirukoil,
Mylapore,
Chennai- 600 004.

+lcc to Mr.A.R.Suresh, Advocate, S.R.No.10699.
+lcc to the Government Pleader, S.R.No.10875.

GMI (CO)
CSR 22.03.2021

W.P. No.3913 of 2021 &
WMP.Nos. 4463, 4467 & 4466 of 2021



WEB COPY