

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.04.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.6404 of 2021  
and  
WMP. No.7003 of 2021

Mrs.Therasy Vinod Kumar @ Vincy Renuka ..... Petitioner

Vs.

- 1.The Commissioner,  
Hindu Religious and Charitable Endowments  
Admn. Department,  
119, Nungambakkam High Road,  
Nungambakkam, Chennai - 600 034.
- 2.The Addl. Commissioner,  
Hindu Religious and Charitable Endowments  
Admn. Department,  
119, Nungambakkam High Road,  
Nungambakkam, Chennai - 600 034.
- 3.The Joint Commissioner,  
Hindu Religious and Charitable Endowments  
Admn. Department,  
119, Nungambakkam High Road,  
Nungambakkam, Chennai - 600 034.
- 4.The Executive Officer,  
Arulmighu Agastheswarar Prasanna  
Venkatesaperumal Temple,  
Nungambakkam, Chennai - 600 034.

..... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to Writ of Certiorarified Mandamus to set aside the impugned order dated 28.02.2020 passed by the 1<sup>st</sup> respondent in Na.Ka.No.2378/2020/R2 and consequently direct the 1<sup>st</sup> respondent to conduct enquiry by giving an opportunity of personal hearing to the Petitioner in connection with the lease of the property belonging to the 4<sup>th</sup> respondent Temple.

For Petitioner : Mr.V.Srikanth

For Respondents : Mr.M.Karhtikeyan,  
Special Government Pleader

O R D E R

The only dispute that arises in this matter is as to whether the petitioner has been heard prior to passing of the impugned order dated 28.02.2020. Without going into whether the notice dated 17.02.2020 has been served upon the petitioner or not, in the interests of substantial justice, the petitioner will appear before the Commissioner, Hindu Religious and Charitable Endowments Department/R1 on 12.05.2021, (since the present Commissioner of HR & CE is stated to be under orders of transfer and a replacement is expected to have taken charge by then) and an order be passed de novo. Mr.Karthikeyan, fairly, has no objection in this regard.

2. This writ petition is disposed in the aforesaid terms. Connected Miscellaneous Petition is also closed. No costs.

Sd/-

Assistant Registrar

//True copy//

Sub Assistant Registrar

rkp

To

1.The Commissioner,  
Hindu Religious and Charitable Endowments  
Admn. Department,  
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Nungambakkam, Chennai - 600 034.

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4.The Executive Officer,  
Arulmighu Agastheswarar Prasanna  
Venkatesaperumal Temple,  
Nungambakkam, Chennai - 600 034.

+lcc to Government Pleader SR.No.25117

W.P. No.6404 of 2021  
and  
WMP. No.7003 of 2021

RSI (CO)

GMV (02/07/2021)



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