



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.07.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.14107 of 2021
and WMP No.14987 of 2021

S.P.Murugesan @ S.Murugesan

... Petitioner

Vs

- 1 The Commissioner
HR & CE Department
Uthamar Gandhi Road,
Nungambakkam, Chennai-600034
- 2 The Joint commissioner
HR & CE Department
Commercial Tax Building,
Ground Floor,
Dr.Balasundaram Road,
Coimbatore - 641 018.
- 3 The Assistant Commissioner
HR & CE Department
Commercial Tax Building,
Ground Floor,
Dr.Balasundaram Road,
Coimbatore - 641 018.
- 4 The Executive officer
Arulmighu Bala Dhandayudapani Swami Thirukoil
Sukrawarpet, Coimbatore - 641 001. ... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus forbearing the 3rd respondent from taking any coercive action against the petitioner in pursuant to the order of the 2nd respondent by proceedings in MP.No.36/2019 dated 23.03.2021 till the disposal of the revision by the 1st respondent.

For Petitioner	: Mr.P.Saravana Sowmiyan
For Respondents	: Mr.N.R.R.Arun Natarajan
	Government Advocate



O R D E R

Heard Mr.P.Saravana Sowmiyan, learned counsel for the petitioner and Mr.N.R.R.Arun Natarajan, learned Government Advocate, who accepts notice for the respondents for some time. Learned counsel for the petitioner states that the petitioner has filed a revision before the Commissioner under Section 21 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (in short 'Act') and also a suit in O.S.No.343 of 2021 before the 3rd Additional District Judge, Coimbatore for a declaration of title in respect of property in question, being Old T.S.No.7/2917 part, New T.S.No.7/207 & 211 Part bearing D.Nos.515, 517 (part), Sukrawarpet, Coimbatore. He would prefer to pursue the remedies already availed.

2. He would also point out that in any event the property in question has been demolished on 06.07.2021 and thus there would be nothing to be gained by seeking restoration of possession of the same. Section 21(6) of the Act vests power in the Commissioner to consider interim protection and he will thus pursue the same. Memo under cover of e-mail dated 08.07.2021 is filed to the above effect.

3. Recording the above, this Writ Petition is dismissed as withdrawn. No costs. Connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Commissioner
HR & CE Department , Uthamar Gandhi Road,
Nungambakkam, Chennai-600034
- 2 The Joint commissioner
HR & CE Department Commercial Tax Building,
Ground Floor, Dr.Balasundaram Road,Coimbatore - 641 018.
- 3 The Assistant Commissioner
HR & CE Department
Commercial Tax Building,
Ground Floor,Dr.Balasundaram Road,
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SKY (CO)

<https://hcservices.ecourts.gov.in/hcservices/>
A.SK(02.08.2021)