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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2021

CORAM:

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.17732 OF 2021

D.I.Nathan

.. Petitioner

Vs

- 1.The Hindu Religious & Charitable Endowment,
Rep.by its Commissioner,
Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.
- 2.Arulmigu Chenna Malleswarar Chenna Kesava
Perumal Devasthanam,
Rep.by its Hereditary Trustee,
No.85, Devaraja Mudali Street,
Park Town, Chennai - 600 003.
- 3.The Executive Officer,
Arulmigu Chenna Malleswarar Chenna Kesava
Perumal Devasthanam,
No.85, DevarajaMudali Street,
Park Town, Chennai - 600 003.
- 4.Mahesh @ Mahesh Kumar Jain
- 5.Rajalakshmi Enterprises
Rep.by its Proprietor,
Old No.93, New No.208, Anna Pillai Street,
Sowcarpet, Chennai - 600 001.
- 6.Mr.Zittu
7. Mr.Dinesh Gupta
- 8.Sanjay Kumar Jain
- 9.Mr.Champalal Jain
- 10.Mr.Mahendran Jain



11.Madras Malli Trust,
Rep.by its Secretary,
No.19 & 20, Perumal Koil Garden Main Street,
Sowcarpet, Chennai - 600 001.

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12.Mr.Siva

.. Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the first respondent, to comply with the direction by this Hon'ble Court in W.P.No.168333 of 2017 dated 12.02.2018 and W.P.no.9336 of 2018 dated 19.12.2019.

For Petitioner :Mr.K.Shanmuga Kani

For Respondents :Mr.N.R.R.Arun Natarajan
Government Advocate for R1 to R3

O R D E R

The relief sought for in the present writ petition is to direct the first respondent, to comply with the direction by this Hon'ble Court in W.P.No.168333 of 2017 dated 12.02.2018 and W.P.No.9336 of 2018 dated 19.12.2019.

2. The respondents filed counter affidavit today. In support of the counter affidavit, the learned Government Advocate appearing on behalf of the respondents 1 to 3, states that the Department has already initiated action. Thus, the grievance of the writ petitioner is redressed. In this regard, it is relevant to extract Paragraph No.6 of the counter affidavit, which reads as under:

"6.Since the 3rd respondent has initiated proceeding under Section 78 of the HR & CE, Act against the respondents 4 to 12, the present writ petition may be disposed by fixing a time limit for completion of the proceedings under Section 78 of the HR & CE, Act against the respondents 4 to 12. It is further submitted that the respondents 4 to 12 will be evicted from the Temple land by following due proceedings under Section 78 of HR & CE, Act."

3. In view of the counter statement, the Jurisdictional Joint Commissioner, is directed to complete the process by following the procedures contemplated within a period of 12 weeks from the date of receipt of a copy of this order.



4. With this direction, the writ petition stands disposed of. No costs.

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Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Pns

To

1.Commissioner,
The Hindu Religious & Charitable Endowment,
Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.

2.Hereditary Trustee,
Arulmigu Chenna Malleswarar Chenna Kesava
Perumal Devasthanam,
No.85, Devaraja Mudali Street,
Park Town, Chennai - 600 003.

3.The Executive Officer,
Arulmigu Chenna Malleswarar Chenna Kesava
Perumal Devasthanam,
No.85, DevarajaMudali Street,
Park Town, Chennai - 600 003.

4.Secretary,
Madras Malli Trust,
No.19 & 20, Perumal Koil Garden Main Street,
Sowcarpet, Chennai - 600 001.

+1cc to the Government Pleader, S.R.No.45283

+2ccs to M/S.K.Shanmugakavi, S.R.No.48285 (29/09/2021)

W.P.No.17732 of 2021

KSM(CO)
PM/17/09/2021