



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2021

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THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.17687 of 2020
and WMP.No.21929 of 2020

V.S.Chidambaram

President

Forum for Kula Deiva Vazhipadu &

Festival Conducting Anaithu Muraidharargalin Amaipalargal

No.11, Arulmighu Sellandiamman Thirukoil

Kunnathur Road, Perundurai Nagar & Taluk,

Erode District.

...Petitioner

Vs.

1.The Commissioner

Hindu Religious & Charitable Endowment Department,
Chennai 600 034.

2.The Joint Commissioner

Hindu Religious & Charitable Endowment Department,
Coimbatore.

3.The Assistant Commissioner

Hindu Religious & Charitable Endowment Department,
Erode.

4.The Executive Officer,

Arulmigu Sellandiamman Thirukoil,
Kunnathur Road, Perundurai Nagar,
Perundurai Taluk, Erode District.

...Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to Writ of certiorarified mandamus calling for the records relating to the impugned order of the 1st respondent in R.P.No.246/2019 dated 15.7.2020 confirming the impugned order of the 2nd respondent dated 17.5.2019 made in M.P.No.51 of 2013, quash the same and consequently direct the respondents herein to let on lease or rent of the terrace portion of the temple office premises situated at No.11, Arulmighu Sellandiamman Thirukoil Kunnathur Road, Perundurai Nagar & Taluk, Erode District.



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For Petitioner : Mr.T.Mohan
for Mr.K.Muthu Ganesa Pandian

For Respondents: Mr.NRR.Arun Natrajan (for R1 to R3)
Government Advocate
Mr.K.Ashok Kumar (for R4)

O R D E R

Heard Mr.T.Mohan, learned counsel for the petitioner, Mr.NRR Arun Natarajan, learned Government Advocate for R1 to R3 and Mr.K.Ashok Kumar, learned counsel for R4.

2. After hearing the matter at some length, learned counsel for the petitioner would submit that the petitioner would prefer to avail of the remedy provided under Section 114 (3) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (in short 'Act'). Section 114 vests power in the Government to call for records in respect of any proceeding under the Act and sub-Section (3) thereof permits anyone aggrieved by proceedings passed under the Act to seek relief in that regard, by way of filing of an application before the Government.

3. Acceding to the request, the petitioner is granted four weeks from today to enable him to file an application under Section 114(3) before the Government. If no application is filed, as permitted hereinbefore, the impugned order will stand revived upon expiry of four weeks. If an application is filed within the time as stipulated above, the same shall be disposed by the Authority after hearing the petitioner as well as any other party that may be necessary within, twelve weeks from date of receipt of the application. Let the hearing be held as far as possible virtually and in line with all SOPs prevalent at that juncture.

4. This writ petition is disposed in the aforesaid terms. Connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner
Hindu Religious & Charitable Endowment Department,
Chennai 600 034.



2.The Joint Commissioner
Hindu Religious & Charitable Endowment Department,
Coimbatore.

3.The Assistant Commissioner
Hindu Religious & Charitable Endowment Department,
Erode.

4.The Executive Officer,
Arulmigu Sellandiamman Thirukoil,
Kunnathur Road, Perundurai Nagar,
Perundurai Taluk, Erode District.

+1cc to Mr.K.Muthu Ganesa Pandian, Advocate Sr.No.30613

W.P. No.17687 of 2020 and
WMP.No.21929 of 2020

GPL(CO)
RVM(23/07/2021)