



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

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THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.Nos.27170 & 27175 of 2018

&

W.M.P.Nos.31585 & 31577 of 2018

E.Selvaraj

...Petitioner in
W.P.No.27170 of 2018

K.Ravi

...Petitioner in
W.P.No.27175 of 2018

Vs

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

2.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Vellore Division,
O/o. Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Sathuvachari Road, Vellore - 9.

3.The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
Kancheepuram Division,
O/o. Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
Kancheepuram - 631 501.

4.The Executive Officer,
A/m. Nagareeswarar Temple,
45/M3, Karikini Amaranthaval Temple Street,
Kanchipuram District - 631 501

...Respondents in both W.Ps



Prayer in W.P.No.27170 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from dispossessing the petitioner from the land and superstructure measuring an extent of 900sq.ft. bearing Door No. 45/M3, Karikinil Amarnthaval Temple Street, Kancheepuram - 631 501 comprised in S.No. 284 and 285, Kancheepuram Nagar, Taluk and District till the disposal of the Revision petition in R.P. R.C. No. 53582 of 2018 pending on the file of the 1st respondent.

Prayer in W.P.No.27175 of 2018: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from dispossessing the petitioner from the land and superstructure measuring an extent of 208sq.ft. bearing Door No. 45/M0, Karikinil Amarnthaval Temple Street, Kancheepuram - 631 501 comprised in S.No. 284 and 285, Kancheepuram Nagar, Taluk and District till the disposal of the Revision petition in R.P. R.C. No. 53581 of 2018 pending on the file of the 1st respondent.

For Petitioner : Mr.V.Srikanth in both W.Ps
For Respondents : Mr. G.Sarath Babu
for Mr.NRR.Arun Natarajan,
Government Advocate
for R1 to R3 in both W.Ps
Mr.R.Bharanidharan
for R4 in both W.Ps

COMMON ORDER

This common order will dispose of both captioned writ petitions.

2. Mr. V Srikanth, learned counsel for the writ petitioners, Mr.G.Sarath Babu, learned counsel representing Mr.NRR.Arun Natarajan, learned State counsel on behalf of respondents 1 to 3 and Mr. R.Bharanidharan, learned counsel for the fourth respondent/Executive Officer are before this Court.

3. All the aforementioned three counsel submit in one voice that the revision petitions filed by the two writ petitioners namely R.P. Nos. 136 of 2018 and 137 of 2018 are now being actively heard by the first respondent i.e., Commissioner of 'Tamil Nadu Hindu Religious and Charitable Endowment Department' ('TN HR & CE Dept.' for the sake of brevity,



convenience and clarity). To be noted, the revisions are under Section 21 of the 'the Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959 (Act 22 of 1959)' (hereinafter 'TN HR & CE Act' for the sake of brevity, convenience and clarity). To be noted, first respondent is the Revisional authority qua statutory revisions under Section 21 of 'TN HR & CE Act'.

4. Learned counsel for the writ petitioners in his usual fairness submits that the captioned writ petitions were filed at a time when the hearings before the aforementioned quasi judicial authority/revisional authority i.e., first respondent/Commissioner were not happening regularly. As the revision petitions are now being taken up and the first respondent is holding Court once every week (this Court is informed every Wednesday), it will suffice if the hearing and conclusion of the statutory revisions are expedited and a time frame is fixed is learned writ petitioners counsel's further say.

5. Learned State Counsel for respondents 1 to 3 and learned counsel for the Executive Officer of the said temple also submit that it would serve the interest of all concerned to have the aforementioned revision petitions expedited rather than embark upon a discussion in captioned writ petitions.

6. In the light of the fair submissions by both sides, without expressing any view on the merits of the matter, captioned writ petitions are disposed of, directing the first respondent to continue hearings in aforesaid statutory revision petitions i.e., R.P. Nos. 136 of 2018 and 137 of 2018 and conclude the same as expeditiously as his official business would permit and in any event, within three months from today i.e., on or before 24.12.2021.

7. Captioned writ petitions are disposed of with the above directives. Consequently, connected miscellaneous petitions are disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CO)

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Sub Assistant Registrar

mmi/NST



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