



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.199 of 2021

and

W.M.P. (MD)No.162 of 2021 & 163 of 2021

WEB COPY

R.Mariappan @ Karunanithi

... Petitioner

-Vs-

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

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Palayamkottai,
Tirunelveli District.

3.The Executive Officer,
Arulmigu Sri Thirukuttrala Nathaswami Temple,
Kuttralam,
Tenkasi Taluk,
Tirunelveli District.

... Respondents

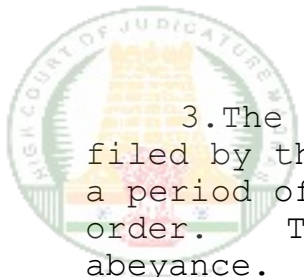
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the third respondent in his proceedings Na.Ka.No.343/2016, dated 05.12.2020 and quash the same and consequently, direct the first respondent to dispose the petitioner's Appeal dated 12.06.2019.

For Petitioner	: Mr.P.Subburaj
For R1 & R2	: Mr.K.P.Narayanakumar Special Government Pleader
For R3	: Mr.S.Manoharan

ORDER

Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for R1 and R2 and Thiru.S.Manoharan, learned counsel appearing for the third respondent temple.

2.The petitioner is a tenant under the third respondent. The petitioner feels aggrieved by the enhancement of the rent fixed in his case. The appeal is pending before the first respondent. In the mean while, the impugned communication has been issued.



3.The first respondent is directed to dispose of the appeal filed by the petitioner on merits and in accordance with law within a period of sixteen weeks from the date of receipt of a copy of this order. Till then, the impugned proceedings shall be kept in abeyance. At this stage, the learned counsel for the third respondent Temple informs the Court that the petitioner had already cleared the arrears. If the petitioner had made any such payment, that would be without prejudice to his contentions in the appeal.

4.The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Palayamkottai,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-955[F] dated 18/01/2021)

+1 CC to M/s.S.MANOHAR, Advocate (SR-768[F] dated 11/01/2021)

+1 CC to M/s.P.SUBBARAJ, Advocate (SR-777[F] dated 11/01/2021)

W.P. (MD) No.199 of 2021
08.01.2021

SMV (CO)

KB (05.02.2021) 2P 6C