



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. Nos. 2097 & 2099 of 2022

M. Pari ... Petitioner in both W.Ps.

Vs

1. The Joint Commissioner,
Hindu Religious & Charitable
Endowment Board,
Tiruchirappalli.
2. The Executive Officer,
Arul Mugu Poomalai Sanjeevi Rayar
& Veetrintha Perumal Thiru Kovilgal,
Padalur, Chettikulam Post,
Alathur Taluk, Perambalur District.

... Respondents in both W.Ps.

Both the Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to pass order on the explanation submitted on 23.12.2019 as per the order of this Court in W.A.No.112 & 121 of 2019 dated 22.10.2019.

For petitioner ... Mr. S. Muthukrishnan
in both W.Ps.

For respondents ... Mr. S. Yaswanth,
in both W.Ps. Addl. Gov. Pleader

COMMON ORDER

Both the writ petitions have been filed seeking a direction to the 2nd respondent to consider the petitioner's explanation and pass orders.

2. Earlier, challenging the notice issued by the respondent/HR & CE fixing the lease amount, the petitioner has filed writ petitions and that came to be dismissed. When that order was challenged before the Division Bench of this Court in W.A.Nos.112 & 121 of 2019, this Court by an order dated 22.10.2019, directed the second respondent to treat the notice impugned, in the writ petitions, as show cause notice and



directed the petitioner to give an explanation within a period of two weeks, further the second respondent herein was directed to consider the same and pass suitable orders, after giving opportunity to the petitioner. Further the Division Bench also directed the second respondent therein to initiate proceedings under Section 78 of the HR & CE Act. Pursuant to the same, the petitioner said to have submitted his explanation on 23.12.2019. But, so far no order has been passed. Hence, the present writ petitions.

3. I have heard both sides and perused the materials available on records carefully.

4. Considering the fact that pursuant to the order of the Division Bench of this Court, the petitioner has submitted his explanation, the second respondent is directed to proceed with the enquiry and pass suitable order on merits and in accordance with law, after giving opportunity to the petitioner, within a period of six (6) weeks from the date of receipt of a copy of this order. As directed by the Division Bench of this Court, the first respondent also directed to proceed with the enquiry under Section 78 of the Act.

5. With the above directions, this both the Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mrp
To

1. The Joint Commissioner,
Hindu Religious & Charitable
Endowment Board, Tiruchirappalli.
2. The Executive Officer,
Arul Mugu Poomalai Sanjeevi Rayar
& Veetrintha Perumal Thiru Kovilgal,
Padalur, Chettikulam Post,
Alathur Taluk, Perambalur District.

+lcc to Mr. S. Muthukrishnan, Advocate, S.R.No.8946

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KV(CO)
CT 16/03/2022