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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.05.2022

CORAM:

THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

W.P.No.12444 of 2022

and

W.M.P.Nos.11911 and 11928 of 2022

R.Vairavan

... Petitioner

vs.

1.The Commissioner,

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

2.The Executive Officer (Additional Charge)/Joint
Commissioner,

Arulmigu Dandayuthapani Swamy Temple,
Palani, Dindugul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents herein from in any manner breaking open the lock or taking forcible possession of the 'Thanneer Pandal Mandapam' at Arulmigu Dandayuthapani Swamy Thirukoil, Palani, pursuant to the proceedings of the 2nd respondent dated 22.04.2022 or otherwise, pending disposal of the Revision filed by the petitioner herein before the 1st respondent on 04.05.2022 as against the said proceedings of the 2nd respondent herein dated 22.04.2022.

For Petitioner : Mr.ARL.Sundaresan, Senior Counsel
for M/s.AL.Gandhimathi

For Respondents: Mr.D.Ravichandran,
Special Government Pleader for R1

Mr.K.Govindarajan,
Standing Counsel for R2

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus, forbearing the respondents herein from in any manner breaking open the lock or taking forcible possession of the 'Thanneer Pandal Mandapam' at Arulmigu Dandayuthapani Swamy Thirukoil, Palani, pursuant to the proceedings of the 2nd respondent dated 22.04.2022 or otherwise, pending disposal of the Revision filed by the petitioner herein before the 1st respondent on 04.05.2022 as against the said proceedings of the 2nd respondent herein dated 22.04.2022.



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2. Heard the learned Senior Counsel appearing for the writ petitioner, learned Special Government Pleader appearing for the 1st respondent and the learned Standing Counsel for the 2nd respondent temple.

3. By the impugned communication, the petitioner has been called upon to handover the key of the petition mentioned room by 11.05.2022 i.e., today. The impugned communication further reads that in the event of failure or default, the room will be broken open. Questioning the said communication, the petitioner has filed a revision petition before the 1st respondent on 04.05.2022. The apprehension of the petitioner is that taking advantage of the fact that no interim order has been granted in the revision petition, the 2nd respondent may forcibly take possession of the property.

4. I do not want to enter into the merits of the controversy. Since the petitioner is in possession of the petition mentioned premises, the 1st respondent is directed to dispose of the revision petition filed by the petitioner questioning the proceeding dated 22.04.2022 within a period of four (4) weeks from the date of receipt of a copy of this order. Till the disposal of the revision petition, the order impugned in this writ petition will be kept in abeyance.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected writ miscellaneous petitions are closed.

Sd/-
Assistant Registrar(Vacation Officer)

//True Copy//

Sub Assistant Registrar

dsa
To

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

2.The Executive Officer (Additional Charge)/Joint
Commissioner,
Arulmigu Dandayuthapani Swamy Temple,
Palani, Dindugul District.

+1 cc to M/s.AL.Gandhimathi, Advocate Sr.NO. 31363
+1 cc to Government Pleader Sr.NO. 31482

W.P.No.12444 of 2022

SSN (CO)

<https://hcservices.ecourts.gov.in/hcservices/>
A.SR(20/05/2022)