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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.No.12606 of 2022
& W.M.P.Nos.12056 & 12057 of 2022

S.P.Chandran

...Petitioner

Vs.

1. The Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowments,
Nungambakkam,
Chennai - 600034.

2. The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowments,
Sivagangai District,
Sivagangai.

3. Fit Person/Thakkar
Arulmigu Adaikalam Katha Iyyanar and
Bathrakali Amman Thirukoil,
Kilmadapuram, Sivagangai.

...Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the Commissioner, HR&CE, viz., the first respondent herein, to dispose of the Revision Petition and stay application filed by the petitioner within a time frame to be fixed by the Hon'ble Court and till such time, to permit the petitioner to continue to function as Managing Trustee of the Arulmigu Athikorakkanatharswamy temple at Thirupuvanam Village, Sivagangai District.

For Petitioner : Mr.V.Vijayashankar

For Respondents : Mr.D.Ravichandran [for R.1 & R.2]
Special Government Pleader



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ORDER

Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

2. The 2nd respondent had passed an order on 22.04.2022 appointing the third person as the fit person for the petition mentioned religious institution. Aggrieved by the same, the petitioner has filed revision petition before the 1st respondent on 03.05.2022. The revision petition has been filed within time. The learned counsel for the petitioner states that no hearing has been scheduled in the month of May 2022.

3. I do not want to enter into the factual controversy. Suffice it to say that the aggrieved person is entitled to move revision petition and also pray for interim order. It is of course open to the Authority concerned to dispose of the revision petition one way or the other. But then the interim application or even the main revision petition cannot be rendered infructuous by non-disposal.

4. Therefore, it is directed that the impugned order dated 22.04.2022 passed by the 2nd respondent appointing the third respondent shall be kept in abeyance till the 1st respondent disposes of the interim application filed by the petitioner on merits and in accordance with law.

5. The Writ Petition stands disposed of accordingly. Consequently, connected Writ Miscellaneous Petitions are closed. No costs.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

mrm

To

1. The Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowments,
Nungambakkam,
Chennai - 600034.



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2. The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowments,
Sivagangai District,
Sivagangai.

3. Fit Person/Thakkar
Arulmigu Adaikalam Katha Iyyanar and
Bathrakali Amman Thirukoil,
Kilmadapuram, Sivagangai.

+1cc to Government Pleader SR. No.31452

+1cc to Special Government Pleader (HR & CE) SR. No. 31481

W.P.No.12606 of 2022

SJ (CO)
PR (20/05/2022)