

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.1750 OF 2018

T.A.Ranganathan

...Petitioner

Vs.

1.The Joint Commissioner,
HR and CE Department,
1254, Sona Plaza,
Phase 2, RTO Road,
Vellore.

2.The Executive Trustee,
Arulmigu Sri Devarajaswami Devasthanam,
Kanchipuram.

3.T.C.Srinivasan

...Respondents

PRAYER : This Writ Petition filed under Section 226 of Constitution of India, pleaded to issue a Writ of Mandamus directing the first respondent to dispose of R.C.No.10215/2006/B1 on his file expeditiously on giving opportunity to all the parties as per the representation of the petitioner dated 09.10.2017.

For Petitioner : Mrs.R.Meenal

For RR1 & 2 : Mr.K.Karthikeyan

For R3 : Mr.S.Victor Prasath

ORDER

This petition has been filed for issuance of writ of Mandamus seeking a direction to the first respondent to dispose of R.C.No.10215/2006/B1 pending on his file expeditiously after giving opportunity to all the parties as per the representation of the petitioner dated 09.10.2017.

2. The case of the petitioner is that there is a dispute with respect to some rituals to be performed in honour of Sri Nammalwar in Kanchipuram Sri Varadarajaswami Temple. Earlier,

the petitioner has filed W.P.No.9093 of 1999 seeking a direction to the second respondent herein to implement the order of the Executive Trustee of Sri Devarajaswami Devasthanam, Kancheepuram. The said writ petition was disposed of with a direction to the petitioner to file a revision before the Commissioner, H.R. & C.E. Department, as only the Department had the jurisdiction to decide the matter. Challenging the said order, the third respondent had preferred an appeal in W.A.No.253 of 2006. The appeal was disposed of by the Hon'ble Division Bench of this Court directing the first respondent herein to conduct the enquiry, as he is the competent authority to decide the issue under Section 63 of the H.R. & C.E. Act. As per the direction of this Court, the petitioner has filed a revision in R.C.No.10215/2006/B1 before the first respondent. But, till date, enquiry has not been conducted and the Revision has been kept pending. The petitioner has also sent a representation dated 09.10.2017 to the first respondent, but there was no progress. Hence, this petition.

3. This Court has carefully considered the rival submissions and also perused the materials placed before it.

4. Considering the facts and circumstances of the case, this Court without expressing any opinion on the merits of the case, directs the first respondent to consider the Revision preferred by the petitioner in R.C.No.10215/2006/B1, if not already disposed of, enquire into the same and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the necessary parties, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

rsi

To

1.The Joint Commissioner,
HR and CE Department,
1254, Sona Plaza,
Phase 2, RTO Road,
Vellore.

2.The Executive Trustee,
Arulmigu Sri Devarajaswami Devasthanam,
Kanchipuram.

+1cc to M/s.R.Meenal, Advocate Sr.No.35260

+1cc to the Special Government Pleader (HR & CE) Sr.No.36798

W.P.No.1750 of 2018

RK(CO)
RVM(28/07/2022)