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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2022

C O R A M

THE HON'BLE MS.JUSTICE V.M.VELUMANI

W.P.NO.27003 OF 2018  
AND  
W.M.P.NO.31392 OF 2018

Lineal descendants of Singaravelu Nainar

1.S.Ramanathan

2.S.Vediappan

...Petitioners

Vs

1. The Commissioner,  
The Tamil Nadu Hindu Religious Charitable  
Endowments Department,  
No.119, Uthamar Gandhi Salai,  
Nungambakkam,  
Chennai -34.
2. The Joint Commissioner,  
The Tamil Nadu Hindu Religious Charitable  
Endowments Department,  
Collectorate Complex,  
Villupuram - 605 602.
3. The Assistant Commissioner,  
The Tamil Nadu Hindu Religious Charitable  
Endowments Department,  
Thiruvoodal Street,  
Tiruvannamalai - 606 601.

Lineal descendants of Chinnasami Nainar

4.Pachaiappan Nainar

5.Mani @ Rajendran

6.Arumugam

7.Ramesh



8.Ramachandran

9.Kumar

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Lineal descendants of Munusami Nainar

10.Pachaiappan @ Babu

11.Karthikeyan

12.Namasivayam

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, calling for the records in R.C.No.33783/2017 D2, dated 13.02.2018 on the file of the 1<sup>st</sup> respondent/Commissioner, Hindu Religious Charitable Endowments Department, Chennai, wherein these petitioners had sought for an order to condone the delay of 1340 days in preferring the Appeal filed under Section 69(1) of the Hindu Religious Charitable Endowments Act, 1959 and quash the same and consequently direct the 1<sup>st</sup> respondent to number the appeal and dispose of the same in accordance with law.

|                           |                                                                |
|---------------------------|----------------------------------------------------------------|
| For Petitioners           | : Mr.V.Ayyadurai<br>Senior Counsel<br>for Mr.P.Muthukumarasamy |
| For R1 to R3              | : Mrs.Geetha Thamarai Selvan<br>Special Government Pleader     |
| For R4, R5, R7,<br>R8 &R9 | : Mrs.Lakshmi Sriram<br>for Mr.B.Sivaraman                     |
| For R6                    | : Mr.K.Bala Subramaniam                                        |
| For R10 to R12            | : Mr.P.Valliappan<br>for M/s.PV Law Associates                 |

ORDER

When the Writ Petition is taken up for hearing, the learned Senior Counsel appearing for the petitioners made various submissions referring to the proceedings dated 05.09.2020 in RC.No.A4/7014/2013 and submitted that Revenue Divisional Officer has recorded that the possession of the property is not



with both groups i.e "A" Party lead by Kumar, S/o.Palani Nainar, 9<sup>th</sup> respondent herein and "B" Party lead by S.Ramanathan S/o.S.Seetharaman, 1<sup>st</sup> petitioner herein and seeks permission of this Court to withdraw the Writ Petition with liberty to agitate all their claims in O.A.No.7 of 2022 (1/2014) before the Joint Commissioner, The Tamil Nadu Hindu Religious Charitable Endowments Department, Tiruvannamalai, which is posted for hearing on 28.04.2022 and he has also made an endorsement to that effect.

2.In view of the submissions and endorsement made by the learned counsel appearing for the petitioners, the Joint Commissioner, The Tamil Nadu Hindu Religious Charitable Endowments Department, Tiruvannamalai, is directed to pass orders in O.A.No.7 of 2022 after giving opportunity of personal hearing to the petitioners, respondents and others, if any and permit them to file documents including the RDO proceedings and other documents filed in the typedset of papers before this Court by the petitioners as well as the respondents.

3.With the above directions, the Writ Petition is dismissed as withdrawn with liberty to raise all the objections before the Joint Commissioner, The Tamil Nadu Hindu Religious Charitable Endowments Department, Tiruvannamalai, in O.A.No.7 of 2022. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rst

To:

1. The Commissioner,  
The Tamil Nadu Hindu Religious Charitable  
Endowments Department,  
No.119, Uthamar Gandhi Salai,  
Nungambakkam,  
Chennai -34.
2. The Joint Commissioner,  
The Tamil Nadu Hindu Religious Charitable  
Endowments Department,  
Collectorate Complex, Villupuram - 605 602.



3. The Assistant Commissioner,  
The Tamil Nadu Hindu Religious Charitable  
Endowments Department,  
Thiruvoodal Street,  
Tiruvannamalai - 606 601.

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Copy To

The Joint Commissioner,  
The Tamil Nadu Hindu Religious Charitable  
Endowments Department, Tiruvannamalai.

+1cc to Mr.P.Muthukumarasamy, Advocate, S.R.No.29035

+1cc to Mr.P.Valliappan, Advocate, S.R.No.28265

+2ccs to Mrs.Lakshmi Sriram, Advocate, S.R.No.28051

+1cc to the Special Government Pleader, S.R.No.28709

W.P.No.27003 of 2018

AD(CO)  
PM/13/05/2022