



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 20.04.2022**

**CORAM**

**THE HONOURABLE MR. JUSTICE C.SARAVANAN**

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**Writ Petition (MD) No.7620 of 2022**

**and**

**W.M.P. (MD) No.5763 of 2022**

1.N.Ratnavel  
2.G.Nataraja Subramanian  
3.M.Vairavel .. Petitioners

Versus

1.The Commissioner,  
Hindu Religious and Charitable  
Endowments Department,  
Government of Tamil Nadu,  
Mahatma Gandhi Road,  
Nungambakkam, Chennai - 600 034.

2.The Joint Commissioner,  
Hindu Religious and Charitable  
Endowments Department,  
Tuticorin - 628 002.

3.The Assistant Commissioner,  
Hindu Religious and Charitable  
Endowments Department,  
Government of Tamil Nadu,  
Tuticorin - 628 002.

4.Mr.M.Anbumani,  
Joint Commissioner,  
Hindu Religious and Charitable  
Endowments Department,  
Government of Tamil Nadu,  
Tuticorin - 628 002. .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent herein to forthwith transfer the proceedings in O.A.No.18 of 2021 from the file of the second respondent herein to any other competent Joint Commissioner, H.R. & C.E. Department, for conducting the proceedings and adjudicating the same with a fair and reasonable opportunity to the petitioners in accordance with law.



For Petitioners : Mr.AR.L.Sundaresan  
Senior Counsel  
for Mrs.AL.Ganthimathi  
For R1 to R3 : Mr.P.Subbaraj  
Special Government Pleader

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**ORDER**

After hearing the learned Senior Counsel for the petitioners, recording the submissions of the learned Special Government Pleader for the official respondents and also considering the fact that the person, who initiated the proceedings against the petitioners earlier in O.A.No.1 of 2013 pursuant to the order of this Court, dated 12.07.2013, made in W.P.No.42503 of 2002 and the person, who has been appointed to hear the present proceedings in O.A.No.18 of 2021, is one and the same person, I am inclined to dispose this Writ Petition, by directing the first respondent to decide as to whether the fourth respondent can continue to hear the present proceedings in O.A.No.18 of 2021, by considering the representation of the petitioners. In any event, the petitioners are directed to send a fresh representation to the first respondent within a period of 15 days from the date of receipt of a copy of this order. Thereafter, the first respondent shall consider the said representation and pass appropriate orders in accordance with law. Needless to state, the petitioners shall be heard before passing orders on the representation. The respondents are directed to maintain status quo as on date till the disposal of the representation by the first respondent. It is also made clear that if no such representation is made by the petitioners within the above stipulated time, the directions contained in this order shall stand automatically vacated.

2.This Writ Petition stands disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

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Sub Assistant Registrar(CS)

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To

1.The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Government of Tamil Nadu,  
Mahatma Gandhi Road,  
Nungambakkam, Chennai - 600 034.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Joint Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Tuticorin - 628 002.

3.The Assistant Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Government of Tamil Nadu,  
Tuticorin - 628 002.

+1 CC to M/s.AL. GANTHIMATHI, Advocate ( SR-19936[F]  
dated 21/04/2022 )

+1 CC to M/s.SPL.GP ( SR-20102[F] dated 21/04/2022 )

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20.04.2022

VR(CO)

GC(21.04.2022) 3P 6C