



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.04.2022

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD).No.7711 of 2022
and
W.M.P(MD).No.5824 of 2022

Pandaram

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Tirunelveli.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Tirunelveli.

3.A.Shri Devi
Takkur,
Arulmigu Karpagavinayagar Thirukovil,
Naranammalpuram,
Thalayuthu Taluk,
Tirunelveli District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent in her order dated 13.04.2022 received by the petitioner on 16.04.2022 and quash the same as without jurisdiction and consequently direct the respondents not to interfere in the peaceful possession of the impugned order mentioned property dated 13.04.2022.

For Petitioner	: Mr.Ananth C.Rajesh
For R1 & R2	: Mr.P.Subbaraj Special Government Pleader
For R3	: Mr.M.Vijayarathinam

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 and 2 and the learned counsel for the third respondent.



2. There is no merit in the present writ petition as the petitioner has challenged the impugned notice issued by the third respondent. It is open for the petitioner to answer to the same by giving reply. In case, the petitioner feels that the third respondent is an incompetent authority, it is open for the petitioner to reply before the third respondent. In this case, it is open for the third respondent to take up a call as to whether the proceedings have to be completed in terms of Section 78 of the Hindu Religious and Charitable Endowments Act, 1959 or under the provisions of the Tamil Nadu Cultivating Tenants Protection Act, 1955.

3. The writ petition stands dismissed with the above observations. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

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/ /2022

Sub Assistant Registrar(CS)

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To

1.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Tirunelveli.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Tirunelveli.

3.The Takkar,
Arulmigu Karpagavinayagar Thirukovil,
Naranammalpuram,
Thalayuthu Taluk,
Tirunelveli District.

+1 CC to M/s.M. VIJAYA RATHINAM, Advocate (SR-21410[F]
dated 26/04/2022)

+1 CC to M/s.ANANTH C. RAJESH, Advocate (SR-20696[F]
dated 22/04/2022)

+1 CC to M/s.SPL.GP. (SR-21462[F] dated 26/04/2022)

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22.04.2022

SS(CO)GC(05.05.2022) 2P 7C

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