



W.P.No.20455 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.20455 of 2023
and
W.M.P.No.19848 of 2023

K.Rajan

... Petitioner

VS.

The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
No.130, R.K. Mutt Road
Mylapore, Chennai 600 004.

... Respondent

PRAYER: Writ Petition is filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to furnish the order passed on 28.02.2023 as per the Order of this Court dated 14.06.2023 in Rev. Application No.73/23 and direct the respondent to give opportunity to make oral arguments until then forbearing the respondent not to pronounce orders in M.P.No.134/2018/a3/20-12-2018.

For Petitioner : Mr.A.R.Nixon

For Respondent : Mr.N.R.R.Arun Natarajan
Special Government Pleader (HR & CE)



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ORDER

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The petitioner seeks a direction to the respondent to furnish the order passed on 28.02.2023 and to direct the respondent to give opportunity to the petitioner to make oral arguments in M.P.No.134/2018/a3/20.12.2018.

2. According to the petitioner, the respondent herein has initiated proceedings under Section 78 (2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 against the petitioner in M.P.No.134/2018/a3/20.12.2018 and the same is pending. Earlier, the petitioner moved this Court in W.P.No.10142 of 2023 seeking a direction to the respondent herein to furnish the copy of adjudication dated 28.02.2023. The said writ petition was disposed of with a direction to the respondent herein to proceed with the enquiry and conclude the same and pass final orders within a period of three months from the date of receipt of a copy of the order.

3. The petitioner filed a Review Application (Writ) No.73 of 2023 seeking review of the order passed by this Court and also for a direction to



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the respondents therein to furnish a copy of the adjudication dated 28.02.2023. This Court disposed the above review application by directing the respondent to produce the docket orders passed for the purpose of adjourning the matter or regarding the submissions.

4. It is the case of the petitioner that he applied for certified copies of adjudication dated 28.02.2023 as per the order passed by this Court in Review Application (Writ) No.73 of 2023 dated 14.06.2023. A memo also said to have been filed by the petitioner before the respondent on 27.06.2023 seeking copy of the docket order dated 28.02.2023 as ordered by this Court.

5. The grievance of the petitioner is that the said docket order has not been furnished to him so far and hence, he is not in a position to advance his final arguments before the respondent. Therefore, the petitioner has come up by way of this writ petition.

6. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR and CE) takes notice for the respondent and on written instructions,



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submitted that the proceedings pending before the respondent was posted for final arguments on several occasions and petitioner failed to advance his arguments. It is also stated by the learned Special Government Pleader that the written submission was sent by the petitioner by registered post and the same was received by the respondent on 07.07.2023.

7. The learned counsel appearing for the petitioner disputed the said fact and according to him, no written submission was sent by the petitioner to the respondent by registered post.

8. The learned Special Government Pleader appearing for the respondent, on instructions, submitted that the respondent is ready to furnish the certified copy of adjudication dated 28.02.2023 to the petitioner within a period of one week from today. The said statement made by the learned Special Government Pleader for the respondent is recorded.

9. The petitioner is directed to appear before the respondent on 24.07.2023 at 2.15 p.m and advance his arguments in the proceedings initiated by the respondent in M.P.No.134/2018/a3/20.12.2018. After



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hearing the petitioner, the respondent is expected to pass final orders as expeditiously as possible preferably within a period of two weeks thereafter.

10. With the above directions, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

10.07.2023

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm

Note: Issue order copy on 11.07.2023.

To

The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
No.130, R.K. Mutt Road
Mylapore, Chennai 600 004.



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S.SOUNTHAR, J.

dm

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