



W.P.No.23357 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.23357 of 2023

Bysani Venkantaranga

...Petitioner

Vs.

- 1.The Commissioner
Hindu Religious & Charitable Endowment (Admin) Department,
Nungambakkam, Chennai 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment (Admin) Department.
127, Yadaval Street, Gopal Nagar, Padi
Chennai 600 050.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowment (Admin) Department
127, Yadaval Street, Gopal Nagar, Padi
Chennai 600 050.
4. The Fit Person / Executive Officer,
Hindu Religious & Charitable Endowment (Admin) Department
Tiruneermalai Ranganatha Perumal Kovil,
Tiruneermalai,
Chennai 600 044.



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5. Bysani Madhava Chetty's Charity Fund,
Having its office at No.27,
General Muthiah Mudali Street,
Chennai 600 079.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider and pass order in the appeal proceedings, bearing A.P No.01 of 2023, in a time bound manner and pass such further or other orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

For Petitioner : Mr.Sathish Parasaran
Senior Advocate
for Mr.Rahul Balaji

For Respondents : Mr.S.Yashwanth for R1 to R4
Additional Government Pleader.

ORDER

This Writ Petition is filed seeking a direction to the first respondent to pass final orders in the appeal in A.P.No.01 of 2023 within a time limit fixed by this Court.



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2. According to the petitioner, he is the lineal descendant of Bysani Madhava Chetty, the patron of the endowment and trust under consideration viz., Bysani Madhava Chetty's Charity Fund. The petitioner is the Hereditary Trustee and Secretary of the above said trust.

3. The petitioner filed an appeal under section 63 (a) of the Hindu Religious and Charitable Endowment Act, in O.A.No.10/2000 and an order was passed by the second respondent giving certain directions with regard to the performance of charity. Aggrieved by the same, the petitioner preferred an appeal before the first respondent in AP.No.01 of 2023 and the same is pending on the file of the first respondent. Therefore, the petitioner seeks a direction to the first respondent to dispose of the appeal within a time stipulated by this Court.

4. Mr.S.Yashwanth, the learned Additional Government Pleader, who takes notice for the respondents 1 to 4, on instructions, submitted that the next date of hearing is on 04.10.2023.



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5. In view of the limited prayer made by the petitioner, without expressing any opinion on the merits of the case, this Court is inclined to issue a direction to the first respondent to consider the appeal filed by the petitioner in A.P.No.01 of 2023 and pass final orders within a period of three months from the date of receipt of copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

10.08.2023
(2/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
dna



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S.SOUNTHAR, J.
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