



WEB COPY



W.P.No.25769 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2023

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.25769 of 2023
and W.M.P.No.25198 of 2023

R.Rajkumar

... Petitioner

VS.

1.The Commissioner

Hindu Religious & Charitable Endowments
No.119, Uthamar Gandhi Road,
Thousand Lights West
Nungambakkam,
Chennai – 600 034.

2.The Joint Commissioner

Hindu Religious & Charitable Endowments
Chennai Zone-I,
Yadava Street,
Gopal Nagar,
Chennai – 6000 050.

3.The Assistant Commissioner,

Hindu Religious & Charitable Endowments,
Chennai – 600 050.

4.The Executive Officer

Arulmigu Dharmaraja Thirukovil
Seven Wells,
Chennai – 600 001.

... Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to dispose the stay petition and interim direction petition to desal the premises in RP No.388/2023 D2 pending on the file of first respondent as expeditiously as possible.

For Petitioner : Mr.D.Rajagopal

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

ORDER

The writ petitioner seeks a direction to the 1st respondent to dispose of the stay petition and interim direction petition to de-seal the premises pending R.P.No.388/2023 D2 on the file of the 1st respondent as expeditiously as possible.

2. The 2nd respondent initiated proceedings under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, for eviction of the petitioner and an eviction order appears to have been passed on 27.04.2023.



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3. Challenging that order, the petitioner herein filed a revision petition before the 1st respondent in R.P.No.388/2023 D2 and the same is pending. The petitioner also filed a petition for stay and also interim direction to de-seal the premises. The said petitions have not been taken up for consideration till date.

4. Mr.N.R.R.Arun Natarajan, learned Special Government Pleader (HR & CE) appearing for the respondents, on instructions, submitted that the interim stay petition filed by the petitioner is posted for hearing on 27.09.2023 before the Joint Commissioner/2nd respondent herein.

5. The learned counsel appearing for the petitioner submitted that the petitioner was running Printing Press in the disputed premises and in pursuance of the eviction order passed against him, the same has been sealed by the Assistant Commissioner/3rd respondent. Therefore, the petitioner is deprived of his livelihood.

6. In view of the difficulty expressed by the learned counsel appearing for the petitioner, this Court is inclined to issue a direction to the



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1st respondent to consider the stay petition and petition for interim direction filed by the petitioner in pending revision and pass final orders preferably within a period of two weeks from the date of receipt of copy of this order.

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

01.09.2023

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

Note: Issue Order Copy on 04.09.2023.



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S.SOUNTHAR, J.

dm

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