



WEB COPY



W.P.No.28085 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.28085 of 2023
and WMP.No.27601 of 2023

R.Prabakar

...Petitioner

Vs.

1. The Joint Commissioner
Hindu Religious and Charitable Endowments Department,
Chennai Division II,
130, Ramakrishna Madam Salai,
Mylapore, Chennai – 600 004.
2. The Assistant Commissioner,
HR & CE Department,
Padi, Chennai – 600 050.
3. The Executive Officer,
Arulmigu Aadhi Vyadhi Hara Baktha
Anjenaya Swamy Temple,
Ram Nagar,
Nanganallur,
Chennai – 600 061.
- 4.P.S.Bharanidharan
5. M.Sathya Narayanan
6. B.Sathiesh
7. G.V.Balakrishnan
8. C.Sivakumar

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for entire records pertaining to the impugned order dated 15.09.2023 in M.P.No. 22/2023 in O.A.No. 1/2023 passed by the 1st Respondent, enquire into the matter and quash the same.

For Petitioner : Mr.V.Srikanth

For Respondents 1 to 3 : Mr.N.R.R.Arun Natarajan.
Special Government Pleader
(HR & CE)

ORDER

The writ petition is filed challenging the order passed by the first respondent dismissing the application filed by the petitioner in M.P.No.22 of 2023 seeking rejection of O.A.No. 1 of 2023.

2.The learned counsel for the petitioner submits that questioning the *locus standi* of the applicant in maintaining the O.A.No. 1 of 2023, the petitioner filed the Miscellaneous Petition in M.P.22 of 2023 and sought for rejection of the original application. The same was dismissed by the 1st respondent as not maintainable by the impugned order. It is stated by the learned counsel for the petitioner that questioning the very same impugned order, the petitioner already filed an Appeal before the Commissioner of HR &



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CE Department in R.C.No. 94131 of 2023 on 25.09.2023 along with Stay Application. If a direction is issued to the Commissioner of HR & CE Department to dispose of the Stay Application and Appeal within the time frame, the petitioner will be satisfied.

3.In view of the submission made by the learned counsel for the petitioner, the writ petition is disposed of with a direction that the Appeal filed by the petitioner shall be considered by the Commissioner of HR & CE Department on merits and final orders shall be passed after issuing necessary notice to the interested parties as expeditiously as possible. If the petitioner filed any application seeking interim order, the said application shall be considered by the Commissioner in accordance with law within a period of two weeks from the date of numbering of the application. No costs. Consequently, connected Miscellaneous Petition is closed.

26.09.2023

Index : Yes/No

Internet : Yes/No

Neutral Citation Case : Yes/No

nti/nsi

Note: The Registry is directed to mark copy of this order to
The Commissioner, HR & CE Department.



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S.SOUNTHAR, J.

nti/snl

To

1. The Joint Commissioner
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