



WEB COPY



W.P. No. 31188 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31188 of 2023

T.Duraisamy

... Petitioner

-VS-

The Joint Commissioner
Hindu Religious and Charitable Endowments
Administration Department
Salem – 1.

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondent to consider the petition filed under Section 54(1) of Hindu Religious and Charitable Endowments Act, 1959, in M.P. Nos. 5 and 7 of 2009 within a time framed by this Court.

For Petitioner : Mr. M.Hariharan

For Respondents : Mr. K.Karthikeyan,
Government Advocate

ORDER

Heard Mr. M.Hariharan, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate, who takes notice for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.



W.P. No. 31188 of 2023

2. The Writ Petition has been filed for directing the Respondent to consider the Petition in M.P. Nos. 5 and 7 of 2009 filed by the Petitioner under Section 54(1) of the Hindu Religious and Charitable Endowments Act, 1959 (hereinafter referred to as 'the Act' for short), within a time limit that may be fixed by the Court.

3. Learned Government Advocate appearing for the Respondent, on instructions, states that the said Petition has been taken up by the Respondent on 28.03.2023 and posted for next hearing on 20.11.2023 and the same is expected to be decided within 12 weeks from today.

4. In such circumstances, the Petitioner and all other concerned parties shall attend the hearing on the said date as well as on the subsequent dates to which it is adjourned and extend their co-operation for the expeditious disposal of the matter and there shall be atleast one effective hearing every month showing progress of the case. It shall be incumbent upon the Respondent to afford full opportunity of hearing to all parties concerned following the prescribed procedure in consonance with the principles of natural justice, deal with each of the contentions raised and pass reasoned orders on merits and in accordance with law and communicate the decision taken to them under written



W.P. No. 31188 of 2023

acknowledgment and file report of compliance before the Registrar (Judicial) of
the Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No
costs.

01.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 29.12.2023.

Maya

To

The Joint Commissioner
Hindu Religious and Charitable Endowments
Administration Department
Salem – 1.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. T.Duraisamy,
S/o. Thutta Gounder,
Hereditary Trustee of the Padavettiamman Thirukoil
and Arulmigu Ulageswarar Thirukoil,
Mattaiyampatti,
Desavilakku Therkku Village,
Omalur Taluk,
Salem District.



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W.P. No. 31188 of 2023

P.D. AUDIKESAVALU, J.

Maya

W.P. No. 31188 of 2023

01.11.2023