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W.P. No. 32372 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2023

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

W.P. No. 32372 of 2023

and

W.M.P. No. 31993 of 2023

Vadakailasam Melapalayam Balija,
Naidu Samugathirku Bathiyamana
Arulmighu Bajanaimadam @ Bajanai
Koilil Eluntharulum – Sri Sanjeevarayar Samedha
Melapalayam, Panruti – 607106,
Cuddalore District,
Represented by its Managing Trustee
M.Seshachalam

... Petitioner

-VS-

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Cuddalore District.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Cuddalore District.
3. The Fit Person / Executive Officer,
A/m Bajanai Madam @ Bajanai Kovil,
Vadakailasam, Melapalayam,
Panruti Taluk, Cuddalore District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First Respondent to pass orders on the Appeal Petition filed by the Petitioner dated 13.12.2021 to



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declare the appointment of Fit Person as null and void, by considering Shri Sanjeevarayar Temple is a denominational temple and further to classify Shri Sanjeevarayar Temple as 'Bajanai Madam @ Bajanai Koil', Vadakailasam, Panruti, within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr. J.Jayamalan

For Respondents : Mr. N.R.R.Arun Natarajan,
Special Government Pleader

ORDER

Heard Mr. J.Jayamalan, Learned Counsel for the Petitioner, Mr. N.R.R.Arun Natarajan, Learned Special Government Pleader, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the First Respondent to pass orders on the Revision Petition dated 13.12.2021 filed by the Petitioner under Section 21-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, (hereinafter referred to as 'the Act' for short) in furtherance to the order dated 24.09.2021 in W.P. No. 2863 of 2012 passed by the Court.



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3. Learned Special Government Pleader appearing for the Respondents, on instructions, states that the said Revision Petition has been posted for the next hearing on 08.12.2023 and the First Respondent has filed a memo dated 21.11.2023 to that effect.

5. In such circumstances, the Petitioner, the Third Respondent 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 two effective hearing every month showing progress of the case. It shall be incumbent upon the First 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 acknowledgment. The report of such compliance shall be filed before the Registrar (Judicial) of the Court.



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In the result, the Writ Petition is disposed on the aforesaid terms.

Consequently, the connected Miscellaneous Petition is closed. No costs.

21.11.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 19.02.2024.

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To

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Cuddalore District.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Cuddalore District.

Copy to

1. The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.
2. Vadakailasam Melapalayam Baliya,
Naidu Samugathirku Bathiyamana
Arulmighu Bajanaimadam @ Bajanai
Koilil Eluntharulum – Sri Sanjeevarayar Samedha
Melapalayam, Panruti – 607106,
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A/m Bajanai Madam @ Bajanai Kovil,
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P.D. AUDIKESAVALU, J.

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