



W.P.(MD).No.11344 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.11344 of 2023

and

W.M.P(MD)Nos.9873 and 9874 of 2023

R.S.Elavarasan

... Petitioner

Vs.

1.The Commissioner,
HR and CE Department,
Hindu Religious and Charitable
Endowments Department,
No.119, Uthmar Gandhi Salai,
Thousand Lights West,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner,
HR and CE Department,
B1 Road, Ellis Nagar,
Madurai-625 016.

3.The Assistant Commissioner,
HR and CE Department,
B1 Road, Ellis Nagar,
Madurai-625 016.



W.P.(MD).No.11344 of 2023

WEB COPY

4.M.P.Karthikeyan,
Manager Madurai Thirugnanasampantha
Swamigal Aatheennam,
No.70, South Aavani Moola Veedhi,
Madurai-625 001.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Certiorarified Mandamus***, to call for records pertaining to impugned notice of the 3rd respondent in Na.Ka.No. 2569/2019-1/AA1, dated 24.04.2023 and to quash the same and to direct the 3rd respondent not to act upon and take any coercive action in pursuant to the impugned notice, dated 24.04.2023, of the 3rd respondent which is in pursuant to order, dated 09.03.2021, in M.P.No.4 of 2021 passed by the 2nd respondent until the petitioner's Appeal in Dis No.2298 of 2023 is heard and disposed before the 1st respondent.

For Petitioner	: Mr.P.Jesus Moris Ravi
For R1 to 3	: Mr.S.P.Maharajan Special Government Pleader
For R4	: Mr.R.M.Swaminathan

ORDER

This writ petition is filed for writ of Certiorarified Mandamus, to quash the impugned notice dated 24.04.2023 issued by the 3rd respondent and to direct the 3rd respondent not to act upon and not to take coercive action until the petitioner's Appeal in Dis No.2298 of 2023 is heard and disposed before the 1st



W.P.(MD).No.11344 of 2023

WEB COPY

respondent. The said notice was issued pursuant to order dated 09.03.2021 passed in M.P.No.4 of 2021 by the 2nd respondent.

2. At the time of admission, this Court has granted conditional interim order and directed the petitioner to deposit Rs.25,00,000/- (Rupees Twenty Five Lakh only). If not deposited, the respondents were granted liberty to proceed further. Since the petitioner has not deposited the same, the respondents have proceeded further and evicted the petitioner.

3. Now, the rights of the petitioner will be determined based on the orders that would be passed by the Commissioner in Appeal in Dis No.2298 of 2023. Therefore, the writ petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

05.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

Tmg

Note: Issue order copy on **08.09.2023**.



W.P.(MD).No.11344 of 2023

WEB COPY

To

1. The Commissioner,
HR and CE Department,
Hindu Religious and Charitable
Endowments Department,
No.119, Uthmar Gandhi Salai,
Thousand Lights West,
Nungambakkam, Chennai-600 034.
2. The Joint Commissioner,
HR and CE Department,
B1 Road, Ellis Nagar,
Madurai-625 016.
3. The Assistant Commissioner,
HR and CE Department,
B1 Road, Ellis Nagar,
Madurai-625 016.



WEB COPY



W.P.(MD).No.11344 of 2023

S.SRIMATHY, J.

Tmg

W.P.(MD).No.11344 of 2023

05.09.2023