



W.P. (MD) No. 28913 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 28913 of 2022

and

W.M.P.(MD)No. 22898 of 2022

Vellaiyan Poosari

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department (HR&CE),
Nungambakkam,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department (HR&CE),
Thanjavur & District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department (HR&CE),
Pudukkottai & District.
- 4.The Thakkar / Executive Officer,
Arulmighu Senbagasatha Ayyanar Thirukovil,
Nambooranipatti,
Thirumayam Taluk,
Pudukkottai District.



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5.K.V.Kannan

6.S.Raman

... Respondents

(Respondents 5 and 6 are impleaded vide order of this Court dated 02.01.2023 in WMP(MD)Nos.25 and 48 of 2023.)

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to dispose the petition in R.C.No. 674 of 2022 filed on 28.03.2022 within the stipulated time fixed by this Court.

For Petitioner : Mr. K.Baalasundharam

For Respondents : Mr. P.Subbaraj (R1 to R3)
Special Government Pleader

Mr. G.Mathavan (R4)

Mr. E.Balasubramani (R5)

Mr. S.Madhavan (R6)

ORDER

Heard Mr. K.Baalasundharam, Learned Counsel for the Petitioner, Mr. P.Subbaraj, Learned Special Government Pleader, for the First to Third Respondents, Mr. G.Mathavan, Learned Counsel for the Fourth Respondent Mr. E.Balasubramani, Learned Counsel for the Fifth Respondent and



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Mr. S.Madhavan, Learned Counsel for the Sixth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed directing the Second Respondent to dispose the petition in R.C. No. 674 of 2022 filed on 28.03.2022 by the Petitioner within the stipulated time fixed by this Court.

3. Having regard to the limited nature of relief sought, this Court without expressing any view on the correctness or entitlement of the claim made by the Petitioner, passes the following order:-

- (i) the concerned authority shall immediately consider the petition in R.C. No. 674 of 2022 filed by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents are necessary for granting the relief claimed had not been produced, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 clear working days for the same;
- (iii) in the event of not being satisfied with the said requirements even



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thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard; and

- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 28.02.2023 under written acknowledgment.

4. In fine, the Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

02.01.2023

SM

NCC : Yes/No

Index : Yes/No

Note: Issue order copy by 25.01.2023.

To

1.The Commissioner,
Hindu Religious and Charitable Endowments Department (HR&CE),
Nungambakkam,
Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department (HR&CE),
Thanjavur & District.

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3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department (HR&CE),
Pudukkottai & District.



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P.D.AUDIKESAVALU,J.

SM

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