



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.06.2023

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THE HONOURABLE Ms.JUSTICE **P.T.ASHA**

W.P. (MD) No.29268 of 2022

and

W.M.P. (MD) Nos.23232 and 23233 of 2022

1.P.Veerapandi

2.R.S.Pechiappan

... Petitioners

/vs./

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai -34.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Ellis Nagar,
Madurai 625 010.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Virudhunagar.

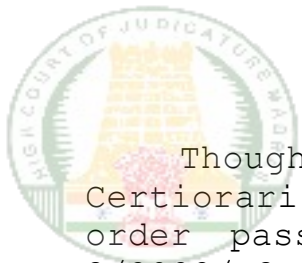
4.The Executive Officer,
Arulmigu Kasiviswanathar Thirukoil,
Watrap Village and Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the entire records connected with the impugned order passed by the first respondent in Se.Mu.Na.Ka.No.76719-3/2022/T3 dated 12.05.2022 and quash the same.

For Petitioner : M/s.C.K.Latha

For Respondents : Mr.P.Subbaraj
Special Government Pleader

**ORDER**

Though the writ petition is filed for the issue of a Writ of Certiorari calling for the records in connection with the impugned order passed by the first respondent in Se.Mu.Na.Ka.No.76719-3/2022/T3 dated 12.05.2022 and quashing the same, it is brought to the notice of this Court that the petitioners have already moved an application under Section 114 of the Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959 before the Principal Secretary to the Government.

2.Today, a communication has been received from the Principal Secretary to the Government, Tourism, Culture and Religious Endowments (RE 5-1) Department, Secretariat, Chennai, which is addressed to the learned Special Government Pleader for the respondents as well as the learned counsel for the petitioners, that there is a delay in filing the application and the revisional authority granted to him does not encompass the power to condone the delay. Considering the fact that the petitioners have moved this Court without much delay and have also filed an appeal, this Writ Petition is disposed of with the following direction:-

"The delay in filing the appeal under Section 114 of the Act before the Principal Secretary to the Government is condoned and the Principal Secretary to the Government is directed to take the appeal on file and pass orders on merits and in accordance with law within a period of 3 months from the date of receipt of a copy of this order after affording an opportunity to the petitioners to make their submissions."

Although the Principal Secretary to the Government is not a party to this writ petition, the said direction is issued to him considering the fact that an application filed under Section 114 of the Act is pending before him.

However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(AE)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)

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<https://www.mhc.tn.gov.in/judis>



To

1.The Commissioner,
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3.The Assistant Commissioner,
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Virudhunagar.

4.The Executive Officer,
Arulmigu Kasiviswanathar Thirukoil,
Watrap Village and Taluk,
Virudhunagar District.

5.The Principal Secretary to the Government,
Tourism, Culture and Religious
Endowments (RE 5-1) Department,
Secretariat, Chennai.

+1 CC to M/s.C.K.LATHA, Advocate (SR-29003[F] dated 19/06/2023)

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16.06.2023

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