



W.P.Nos.36026, 36028, 36033 & 36034 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P.Nos.36026, 36028, 36033 & 36034 of 2024

and

WMP.Nos.38907, 38910, 38912 & 38914 of 2024

S.Geetha

...Petitioner in W.P.No.36026 of 2024

1. N.Kanakaraj

2. N.Renuka

...Petitioners in W.P.No.36028 of 2024

K.P.Pandurangan

...Petitioner in W.P.No.36033 of 2024

M.Palanisamy

...Petitioner in W.P.No.36034 of 2024

Vs.

1. The Commissioner,

Hindu Religious and Charitable Endowment Department,
Nungambakkam, Chennai - 600 034.

2. The Joint Commissioner,

Hindu Religious and Charitable Endowment Department,
Tiruppur.

3. The Assistant Commissioner,

Hindu Religious and Charitable Endowment Department,
Karur.

4. The Executive Officer,

Arulmigu Vennaiimalai Bala Subramaniya Swamy Kovil,
Vennaiimalai, Kadaparai Village,
Manmangalam Zone, Karur District.

...Respondents in all WPs

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to dispose stay applications in the revision petitions before deciding the main



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revision petition in accordance with Section 21 (6) of HR & CE Act, 1959.

For Petitioners : Mrs. AL.Gandhimathi,
Senior Advocate
for Mr.Mohanraja in all WPs

For Respondents : Mr.NRR.Arun Natarajan
Special Government Pleader (HR & CE)
in all WPs

COMMON ORDER

In all these writ petitions, the petitioners seek a direction to the first respondent to dispose of the stay applications filed by the petitioners in the revision petitions filed against the order of eviction passed by the second respondent under Section 78 of the HR & CE Act.

2. It is not in dispute that the proceedings were initiated against the petitioners under Section 78 of the HR & CE Act by the second respondent and order of eviction was passed on 16.09.2024. Aggrieved by the same, the petitioners herein preferred the revisions before the first respondent on 05.10.2024 and the same are pending for disposal. Along with revisions, the petitioners also filed the applications seeking stay of the enforcement of eviction order. No orders have been passed in the interim applications. Therefore, the petitioners have come up before this Court with the above mentioned prayer.



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3. Mr.NRR. Arun Natarajan, learned Special Government Pleader, who takes notice for the respondents would submit that the stay applications pending on the file of the Commissioner, HR & CE, will be disposed of in accordance with law, within a stipulated time fixed by this Court.

4. In view of the same, without expressing any opinion on the merits of the stay petitions filed by the petitioners before the first respondent, this Court is inclined to direct the first respondent to take up the stay petitions filed by the petitioners for hearing on 02.12.2024 and the petitioners are directed to cooperate for disposal of the same. The first respondent shall pass final orders, on it's own merits, within a period of one week from 02.12.2024.

5. With the above direction, these Writ Petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

27.11.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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Note: Issue order copy on 28.11.2024

S. SOUNTHAR, J.

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- To
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