



W.P.(MD)No.4904 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 26.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.4904 of 2024
and
W.M.P.(MD)No.4712 of 2024

Velmari

... Petitioner

versus

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.
2. The Block Development Officer,
Thiruppuvanam Panchayat Union,
Sivagangai District.
3. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
4. A.Pannerselvam
5. V.Udaiyasuriyan
6. G.Ramasamy



W.P.(MD)No.4904 of 2024

7. V.P.Chokkalingam

8. A.Kasirajan

9. P.Muthuvairavan

10. V.Sekar

11. S.Muthumari

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, forbearing the respondents 1 to 3 from granting any permission to any one, more particularly the respondents 4 to 11 from interfering with the possession and enjoyment of the properties of Kailasa madam situated in Survey No.39/10 in Thirupuvanam Village belonged to Kailasa madam.

For Petitioner : Mr.G.Prabhu Rajadurai
for Mr.J.Anandkumar

For R1 and R2 : Mr.P.Subba Raj,
Special Government Pleader

For R3 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl. Side)

For R4 and R5 : Mr.R.Senthilkumar

For R7, R9 to R11: No appearance



W.P.(MD)No.4904 of 2024

ORDER

This writ petition is filed for a Mandamus, forbearing the respondents 1 to 3 from granting any permission to the respondents 4 to 11 from interfering with the possession and enjoyment of the properties of Kailasa Madam situated in Survey No.39/10 in Thirupuvanam Village.

2. Today, when this writ petition is taken up for hearing, the learned counsel appearing for the petitioner confined his relief for disposal of the application filed under Section 64(1) of the HR&CE Act.

3. Since the learned counsel appearing for the petitioner has now restricted his relief for disposal of the application filed under Section 64(1) of the Act, which is pending with the first respondent, this Court, without expressing anything on merits of the claim made by the



W.P.(MD)No.4904 of 2024

respective parties, is inclined to dispose of the writ petition with a direction to the first respondent to dispose of the petitioner's application filed under Section 64(1) of the HR&CE Act.

4. Accordingly, this writ petition is disposed of with a direction to the first respondent/the Joint Commissioner of HR&CE Department, Sivagangai, to dispose of the petitioner's application filed under Section 64(1) of the HR&CE Act, after providing an opportunity of hearing to the private respondents, within a period of 12 weeks from the date of receipt of a copy of this order. The petitioner is at liberty to raise other allegations with regard to the misappropriation of funds before the first respondent/the Joint Commissioner of HR&CE Department, Sivagangai. The Joint Commissioner shall consider that issue separately. No costs. Consequently, connected miscellaneous petition is closed.

26.03.2024

ogy

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



W.P.(MD)No.4904 of 2024

To
WEB COPY

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.
2. The Block Development Officer,
Thiruppuvanam Panchayat Union,
Sivagangai District.
3. The Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.



WEB COPY



W.P.(MD)No.4904 of 2024

B.PUGALENDHI, J.

ogy

W.P.(MD)No.4904 of 2024

26.03.2024