



W.P.(MD) No.8316 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2024

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.8316 of 2024

and

W.M.P.(MD) No.7528 of 2024

S.Krishnamurthy

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nungambakkam High Road,
Chennai – 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Theni.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Theni.
- 4.The Fit Person,
Arulmigu Kamatchiamman Thirukovil,
Thenkarai, Periyakulam Taluk,
Theni District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus forbearing the respondents in any manner from interfering with the peaceful possession and enjoyment of the petitioner's building in respect of Sri Lakshmi Plywoods and Hardware situate in S.No.2348 bearing Door No.2-4-1, Vaigai Dam Road, Near State Bank, Thenkarai, Periyakulam, Theni District pending disposal of the Revision Petition in R.P.No.376 of 2023 on the file of the first respondent herein.

For Petitioner	: Mr.S.Sundaravadivel
For R1 to R3	: Mr.P.Subbaraj Special Government Pleader
For R4	: Mr.V.Chandrasekar Standing Counsel

ORDER

The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus forbearing the respondents in any manner from interfering with the peaceful possession and enjoyment of the petitioner's building in respect of Sri Lakshmi Plywoods and Hardware situated in S.No.2348 bearing Door No.2-4-1, Vaigai Dam Road, Near State Bank, Thenkarai, Periyakulam, Theni District pending disposal of the Revision Petition in R.P.No.376 of 2023 on the file of the first respondent.



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2. Mr.P.Subbaraj, learned Special Government Pleader, takes notice for the first to third respondents and Mr.V.Chandrasekar, learned Standing Counsel, takes notice for the fourth respondent. With their consent, this case is taken up for final disposal, at the time of admission.

3. This Writ Petition has been filed during the pendency of the Revision Petition in R.P.No.376 of 2023 filed by the petitioner under Section 21 of the H.R. & C.E. Act, 1959 before the first respondent. As such, there is no scope for entertaining this Writ Petition for the relief sought for.

4. Considering the same, this Writ Petition is disposed of, without expressing any opinion on merits, by directing the first respondent to dispose of the petitioner's Revision Petition in R.P.No.376 of 2023, within a period of 90 days from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

01.04.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order
JEN



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C.SARAVANAN, J.

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