



W.P(MD)No.19423 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2024

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.19423 of 2024

and

W.M.P(MD)Nos.16487 & 16489 of 2024

David Raj

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious Charitable Endowments Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious Charitable Endowments Department,
Dindigul.
- 3.The Assistant Commissioner,
Hindu Religious Charitable Endowments Department,
Dindigul.
- 4.The Executive Officer,
Arulmigu Kalahatheeswarar Thirukovil,
Mullipadi,
Dindigul District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling the records relating to the proceedings of the third respondent made in Na.Ka.No. 3055/2024-1/A3, dated 18.07.2024 and quash the same and consequentially direct the respondents to receive the rent and treat the petitioner as a tenant and pass such further or other orders as this Court.

For Petitioner : Mr.R.Murali

For R-1 to R-3 : Mr.K.S.Selvaganesan
Additional Government Pleader

For R-4 : Mr.V.Chandrasekar

ORDER

The present writ petition has been filed challenging the order, dated 18.07.2024, which is purportedly issued on the basis of the Joint Commissioner's order, dated 06.06.2024, which according to the petitioner has not been served.

2. Today, the learned Additional Government Pleader for the official respondents served the copy of the order, dated 06.06.2024. At this juncture, the learned Counsel for the petitioner after submitting for a brief while seeks liberty of this Court to challenge the order, dated 06.06.2024.



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3. Considering the above request, the petitioner is granted liberty to file an appeal within a period of four weeks from the date of receipt of a copy of this order. If the appeal is filed within the above period, the same shall be entertained without reference to limitation subject to complying with other conditions relating to appeal. Until the petitioner files an appeal or expiry of the period stipulated above for filing an appeal, i.e., four weeks from the date of receipt of a copy of the order whichever is earlier, the respondents shall not proceed with any coercive proceedings. Appeal if filed within the stipulated period may be disposed of within a period of six months thereafter. It is open to the petitioner to seek interim protection during pendency of appeal, if law so permits.

4. This writ petition stands disposed of with the above direction. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

16.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



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MOHAMMED SHAFFIQ, J.

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