



W.P.(MD) No.26210 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.26210 of 2024

Palani

.. Petitioner

Vs.

- 1.The Secretary to Government,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai-600 034.
- 2.The Commissioner,
Office of the Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai-600 034.
- 3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Saint Mary's Boys School West,
Millerpuram, Thoothukudi District.
- 4.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Alaghesapuram Main Road,
Thoothukudi, Thoothukudi District.
- 5.Shanmugasundaram
- 6.Mahalingam



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7.Arumugam

8.Sornam

9.Raju

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent in N.Dis.No.707804/2024/D2, dated 24.07.2024 and quash the same as illegal and consequently direct the first and second respondents to number the petitioner's appeal filed against the order in O.A.No.1 of 2022, dated 14.11.2023 within stipulated time to be fixed by this Court by considering the petitioner's representation dated 14.09.2024.

For Petitioner : Mr.A.Danielleo

For R1 to R2 : Mr.P.Subbaraj
Special Government Pleader

ORDER

The petitioner has filed this writ petition to quash the order dated 24.07.2024 passed by the second respondent in N.Dis.No. 707804/2024/D2 and consequently to direct the first and second respondents to number his appeal filed against the order in O.A.No.1 of



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2022, dated 14.11.2023 by considering his representation dated 14.09.2024.

2. The learned counsel for the petitioner would submit that the petitioner is willing to make an application under Section 54(4) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 as advised by the second respondent. Further, he would submit that in view of the pendency of this writ petition, there has been delay in invoking the said provision.

3. Considering the fact that the impugned order has been passed as early as in July, 2024 and that the petitioner is willing to invoke the powers, the second respondent is directed to take on the application to be filed by the petitioner under Section 54(4) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 without insisting on an application for condoning the delay, if such application is made on or before 25.11.2024.



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4. With the aforesaid direction, this Writ Petition is disposed of.

There shall be no order as to costs.

05.11.2024

Note: Issue order copy by 07.11.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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K.KUMARESH BABU, J.

abr

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