



W.P.(MD)No.29930 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **12.12.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

W.P.(MD)No.29930 of 2024

K.K.V.Annan Thiruvengada Chariyar,
S/o.K.K.V.Annan Sri Rengachariyar,
Annaswamy Thirumaligai Aadhinakartha,
No.206/60, East Uthara Street,
Srirangam,
Tiruchirappalli - 6.

... Petitioner

Vs.

1. The Commissioner,
HR and CE Department,
Nungambakkam,
Chennai - 34.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Act,
Tiruchirappalli.
3. The Executive Officer / Joint Commissioner,
Arulmigu Ranganathaswamy Kovil,
Srirangam, Trichy.
4. Sadhu Srinivashnava R.Bashyam Iyengar,
S/o.Ramanujam Iyengar,
Ramanujar Apartment,
West Adavanjan Street,
Srirangam,
Tiruchirappalli - 6.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to transfer the O.A.No. 17 of 2015 pending on the file of 2nd respondent to any other office of Joint Commissioner, HR and CE Department and to dispose the same in time frame.

For Petitioner : Mr.K.Govindarajan

Senior Counsel

for Mr.R.Murali

For Respondents : Mr.P.Subbaraj (R1 & R2)

Special Government Pleader

Mr.M.Saravanan (R3)

ORDER

This writ petition has been filed for transfer of the case in O.A.No. 17 of 2015 pending on the file of 2nd respondent to any other office of Joint Commissioner, HR and CE Department.

2. Considering the limited relief of the prayer sought for in this writ petition, notice to the fourth respondent is dispensed with. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



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3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

4. It is the case of the petitioner that as against the order passed by the third respondent, an appeal has been preferred to the second respondent. Presently, the office of the second respondent is held by the person, who had passed the order which was impugned before the second respondent and therefore, the same could not be heard by the very same person, who is holding the post of the second respondent. The same is not disputed by the learned Special Government Pleader appearing for the respondents 1 and 2.

5. Considering the facts and circumstances of this case, this Court deems fit that the appeal in OA No.17 of 2015 pending on the file of the second respondent shall be transferred to the Joint Commissioner, HR&CE Department, Madurai. The second respondent is directed to transmit the files relating to the appeal in OA No.17 of 2015 to the office of the Joint Commissioner, HR&CE Department, Madurai, within a period of two weeks from the date of receipt of a copy of this order. However, considering the fact that the appeal in OA No.17 of 2015 has been pending from the year 2015, the Joint Commissioner, HR&CE Department, Madurai, is directed to dispose of



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OA No.17 of 2015 from the date of receipt of files relating to the appeal in OA
No.17 of 2015 from the second respondent.

6. With the above direction, the Writ Petition stands disposed of. There
shall be no order as to costs.

12.12.2024

NCC : Yes / No
Index : Yes / No
Sm



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TO:-

WEB COPY

1. The Commissioner,
HR and CE Department,
Nungambakkam,
Chennai - 34.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Act,
Tiruchirappalli.

COPY TO:-

1. The Joint Commissioner,
HR&CE Department,
Madurai.



WEB COPY



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K.KUMARESH BABU, J.

Sm

Order made in
W.P.(MD)No.29930 of 2024

Dated
12.12.2024