



W.P.No.14502 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED :23.04.2025

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.14502 of 2025

and

W.M.P.No.16387 of 2025

K.Govindhasamy, M/A 42,
No.2, Chokkattan Salai,
Nungambakkam, Chennai 600 034,
Door No.3, Old No.2,
New No.22, Chokkattan Salai,
Nungambakkam,
Chennai 600 034.

.. Petitioner

/versus/

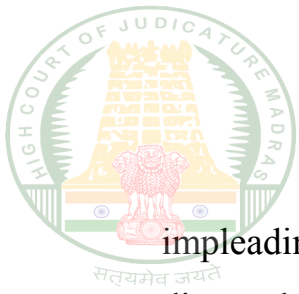
1.The Commissioner,
Hindu Religious Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.

2.The Joint Commissioner,
Hindu Religious Charitable Endowments Department,
EVK Sampath Road, 9th Floor DPI Campus,
College Road, Chennai 600 006.

3.The Executive Officer,
A/m Akastheeshwarar Prasanna Venkatesa Perumal Thirukkoil,
Nungambakkam, Chennai.

.. Respondents

Writ Petition has been filed under Article 226 of the Constitution of India
praying to issue a Writ of Mandamus directing the 2nd respondent to receive the



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impleading petition in M.P.No.98 of 2024 on the file of 2nd respondent and also direct the respondents to receive the any rental dues if any by the late Muniyammal upon consideration of the petitioner's representation dated 28.03.2025 within the time frame fixed by this Hon'ble Court.

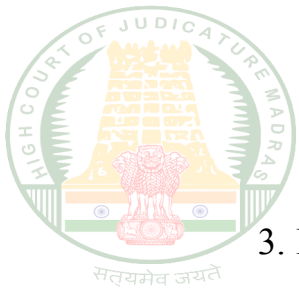
For Petitioner :Mr.S.Arivazhagan

For Respondents :Mr.K.Karthikeyan, GA(HR & CE)

ORDER

The prayer in the writ petition is to receive the impleading petition in M.P.No.98 of 2024 on the file of the second respondent and also to direct the respondents to receive the rental dues, if any, by late Muniyammal, upon consideration of the petitioners representation dated 28.03.2025.

2. The learned Government Advocate (HR &CE) appearing for the respondents 1 to 3 would submit that the petitioner is not entitled to claim under the said Muniyammal. As on date, the third party is in possession and therefore, action is taken as against the person who is in possession.



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3. Be that as it may, when the petitioner files an impleading petition, the same can be mentioned as a reason and appropriate orders can be passed on the impleading petition, that is filed by the petitioner, so that the petitioner can take recourse in the manner known to law. When the statutory proceedings are conducted under Section 78 of Hindu Religious and Charitable Endowments Act, 1959 and even if an unconnected party files an impleading application, the said application has to be received, an endorsement has to be made and order should be passed by mentioning the reason as to why the impleading petition is not entertained.

4. In view thereof, this Writ Petition is disposed of on the following terms:

(i) If the petitioner's prayer is acceptable by the respondents, they shall number the petition and take the impleading petition on record.

(ii) If the prayer is not acceptable by the second respondent, the second respondent shall state such reasons and reject the application by passing a speaking order.

(iii) The said exercise shall be carried out, within a period of four weeks, from the date of receipt of the web copy of the order without waiting for the certified copy of this order.



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WEB COPY 5. The learned Government Advocate (HR & CE) disputes the filing of the said impleading petition.

6. The petitioner shall enclose a copy of the said impleading petition filed by him along with the copy of this order and produce it before the 2nd respondent, within a period of two weeks from the date of receipt of a web copy of this order, without waiting for the certified copy of the order. Consequently, connected Miscellaneous Petition is closed. No costs.

23.04.2025

Neutral citation: no
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To

1. The Commissioner,
Hindu Religious Charitable Endowments Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.

2. The Joint Commissioner,
Hindu Religious Charitable Endowments Department,
EVK Sampath Road, 9th Floor DPI Campus,
College Road, Chennai 600 006.



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3. The Executive Officer,

A/m Akastheeshwarar Prasanna Venkatesa Perumal Thirukkoil,
Nungambakkam, Chennai.

4. The Government Advocate (HR &CE), High Court, Madras.

D.BHARATHA CHAKRAVARTHY, J.



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