

W.P.(MD)No.13730 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.05.2025

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CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.13730 of 2025

and

W.M.P(MD)No.9904 of 2025

Boomibalan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Theni District,
Theni.

3.The Executive Officer,
Arulmigu Moonkilanai Kamatchiamman Temple,
Devadanampatti, Periyakulam,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the respondents to permit the petitioner to continue as cultivating tenant of the land situated in No.1620 (2 Acre 20 cents) of Genguvarpatti, Periyakulam, Theni District and to dispose of the petition pending on the file of the third respondent in O.MU.No.719061/2024/M1 dated 26.07.2024 by considering the petitioner's representation dated 22.07.2024.



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For Petitioner : Mr.T.Palanisamy

For R1 & R2 : Mr.K.S.Selvaganesan
Additional Government Pleader

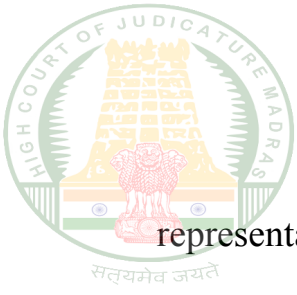
ORDER

This writ petition has been filed seeking a writ of Mandamus directing the respondents to permit the petitioner to continue as cultivating tenant of the land situated in No.1620 (2 Acre 20 cents) of Genguvarpatti, Periyakulam, Theni District and to dispose of the petition pending on the file of the third respondent, dated 26.07.2024 by considering the petitioner's representation dated 22.07.2024.

2. With the consent of both sides, the writ petition is taken up for final disposal.

3. The learned counsel for the petitioner submits that the petitioner has been paying taxes to the authorities concerned without any default. However, notice for public auction was issued on 16.04.2025, contrary to the provisions of law.

4. The learned Additional Government Pleader for the respondents 1 and 2 however contended that the third respondent also enquired into the



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representation given by the petitioner and the directions may be issued to the third respondent to expedite the same.

5. In view of the above, the writ petition is disposed of directing the third respondent to complete the enquiry proceedings pending before him after giving fair opportunity to the petitioner and all the interested parties including the land owner. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order. Till such time, the public auction shall be kept in deference and subject to the outcome of the enquiry proceedings of the third respondent, it should be open to the authorities to proceed further in accordance with law. No costs. Consequently, the connected miscellaneous petition is closed.

08.05.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
sn



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P.B.BALAJI, J.

Sn

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