



W.P.(MD) No.15650 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.06.2025

CORAM

THE HON'BLE MR.JUSTICE C. SARAVANAN

W.P.(MD) No.15650 of 2025

and

W.M.P.(MD) No.11877 of 2025

S.Mariappan

... Petitioner

Vs.

- 1.The Secretary,
Government of Tamil Nadu,
The Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Secretariat, Chennai – 9.
- 2.The Commissioner,
Hindu Religious and Charitable Endowments
Admin Department,
Uthmar Gandhi Salai,
Nungambakkam, Chennai – 600 034.
- 3.The Joint Commissioner,
Hindu Religious & Charitable Endowments
Department,
Mayiladuthurai Division,
Samantharkulam, Siththarkadu,
Mayiladuthurai Taluk and District 609 003.
- 4.The Assistant Commissioner,
Hindu Religious & Charitable Endowments
Department,



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Kumbakonam Division,
No.1, Aayikualam Road,
Kumbakonam – 612 001.

5.Board of Trustees,
Arulmigu Jaganatha Pillayar Temple,
Nageshwaran Thirumanjana Street,
Kumbakonam Town and District.

... Respondents

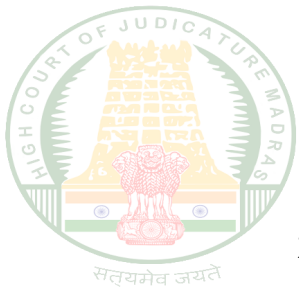
PRAYER : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, forbearing the third to fifth respondents from taking any coercive action as against the petitioner in T.S.No.501 to an extent of 377 sq.ft. land in Thokampalaya Street, Kumbakonam Taluk and Town, Thanjavur District till the disposal of the Appeal filed by the petitioner before the first respondent dated 23.05.2025 as against the order passed by the second respondent by his order dated 20.05.2025.

For Petitioner : Mr.E.Mareeskumar

For Respondents : Mr.S.S.Madhavan
Additional Government Pleader

ORDER

Mr.S.S.Madhavan, the learned Additional Government Pleader, appears and takes notice on behalf of the respondents. After hearing the learned counsel for the petitioner and learned Additional Government Pleader appearing for the respondents, this Writ Petition is being disposed of at the time of admission stage.



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2. The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus, forbearing the third to fifth respondents from taking any coercive action against the petitioner in respect of T.S.No.501, to an extent of 377 sq.ft. of land situated in Thokampalaya Street, Kumbakonam Taluk and Town, Thanjavur District, until the disposal of the appeal dated 23.05.2025, filed by the petitioner before the first respondent, challenging the order passed by the second respondent dated 28.04.2025.

3. It is noticed that the petitioner suffered an adverse order dated 28.04.2025 passed by the second respondent-Commissioner in R.P.No. 444/2023 D2, wherein the petitioner had challenged the order dated 18.09.2023 passed by the third respondent-Joint Commissioner in M.P.No.293/2019 under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. The second respondent confirmed the order of the third respondent.

4. It appears that the petitioner is still in possession of the property and has filed an appeal against the aforesaid order dated 28.04.2025 passed by the second respondent-Commissioner in R.P.No.444/2023 D2, before the first respondent under Section 114 of the Tamil Nadu Hindu



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Religious and Charitable Endowments Act, 1959, on 23.05.2025.

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Therefore, the petitioner has approached this Court for a direction to the first respondent to consider the petitioner's appeal as expeditiously as possible and to protect the petitioner pending disposal of the appeal.

5. Having considered the submissions made by the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents, this Writ Petition is disposed of with a direction to the first respondent to dispose of the petitioner's stay petition, preferably within a period of six weeks from the date of receipt of a copy of this order, and the appeal, preferably within a period of six months from the date of receipt of a copy of this order. Pending disposal of the petitioner's stay petition, the petitioner shall not be removed or dispossessed from the property. No costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes/No

Speaking Order / Non-Speaking Order



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C.SARAVANAN, J.

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