



W.P(MD)No.16585 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2025

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD)No.16585 of 2025

and

W.M.P(MD)Nos.12608 and 12610 of 2025

R.Jeya Parvathi

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Tirunelveli.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Tirunelveli.
- 4.The Executive Officer,
Arulmigu Venkatachalapathy Temple,
Thimmarajapuram
Palayamkottai Taluk,
Tirunelveli District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned eviction order passed by the second respondent



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as against the petitioner through proceedings in M.P.No. 238 of 2024 dated 25.04.2025 and to quash the same and further directing the respondents not to disturb the petitioner.

For Petitioner	: Mr.C.M.Mari Chelliah Prabhu
For R1 to R3	: Mr.S.S.Madhavan Additional Government Pleader
For R1 to R3	: Mr.V.S.Kishok Kumar Standing Counsel

ORDER

This writ petition has been filed challenging the impugned eviction order, dated 25.04.2025 passed by the second respondent and consequently directing the respondents not to disturb the petitioner.

2. The impugned order has been passed pursuant to the direction of the Division Bench of this Court in the case of ***Periyannambi Narasimha Gopalan Vs The Commissioner, Hindu Religious and Charitable Endowments Board (W.P(MD)No.19456 of 2020)***

3. The learned counsel for the petitioner submits that against the impugned order, the petitioner has filed an appeal on 01.06.2025.



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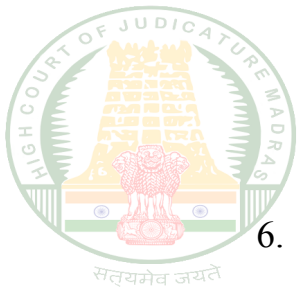
4. The learned counsel for the respondents submits that there were defects in the appeal filed under Section 69 of the Hindu Religious and Endowments Act, 1959 and therefore, the appeal dated 01.06.2025 has been returned. As such, there is no scope for granting any relief in this writ petition.

5. As the petitioner is seeking to quash the impugned order, dated 25.04.2025, for which the petitioner has rightly invoked the jurisdiction before the first respondent under Section 69 of the Hindu Religious and Endowments Act, 1959, this Court is of the view that temporary relief can be granted to the petitioner subject to the following terms.

(i) The petitioner shall re-present the appeal, dated 01.06.2025 along with a stay petition if any within a weeks time.

(ii) The stay petition filed by the petitioner shall be disposed of by the Commissioner as expeditiously as possible preferably within a period of 30 days from the date of re-presenting the appeal along with stay petition.

(iii) Subject to further orders to be passed by the Commissioner in the stay petition, the rights of the petitioner shall be protected.



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6. The writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

18.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

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C.SARAVANAN, J.



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