



W.P.(MD) No. 17262 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

**W.P.(MD) No. 17262 of 2025
and
W.M.P.(MD) No.13148 of 2025**

V.Balakrishnan

... Petitioner

Vs

1. The Additional Chief Secretary to Government,
Hindu Religious and Charitable Endowment Department,
Chennai.

2. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.

3. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to number and dispose the unnumbered Revision Petition filed on 19.06.2025 by the petitioner against the Order in Na.Ka. 47555/2020/A2 dated 09.06.2025 passed by the



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second respondent within the time frame fixed by this Court and till such time, the proceedings in Na.Ka.No. 47555/2020/A2 dated 09.06.2025 may be kept in abeyance.

For petitioner : Mr. Selva Aditya
for Mr.G.Prabhu Rajadurai

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

ORDER

This Writ Petition is disposed of at the time of admission after hearing the learned counsel for the petitioner and learned Additional Government Pleader for the respondents.

2. The petitioner has challenged the order dated 09.06.2025 passed by the Commissioner/second respondent, pursuant to the order dated 15.11.2022 in W.P. (MD) No.25806 of 2022, against which the petitioner had unsuccessfully filed an appeal in W.A.No.125 of 2023, wherein the Hon'ble Division Bench of this Court by its order, dated 04.06.2025, disposed of the appeal with the following observations:



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“3. During the pendency of the writ appeal, the Commissioner, Hindu Religious and Charitable Endowment Department, Chennai put the appellant on notice and the appellant also submitted his reply. Now, it is for the Commissioner, Hindu Religious and Charitable Endowment Department, Chennai to pass an appropriate order. We direct the Commissioner, Hindu Religious and Charitable Endowment Department, Chennai to dispose of the matter on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this judgment. We make it clear that we have not gone into the merits of the matter. The contentions of both the parties are left open.

4. The writ appeal is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.”

3. Hence, by the aforesaid order, dated 09.06.2025, the second respondent/Commissioner has directed the third respondent/Joint Commissioner to initiate Surcharge Proceedings under Section 90(2) of the TNHR&CE Act, 1959 against the petitioner.

4. Pursuant to the aforesaid order, dated 09.06.2025, the third respondent/Joint Commissioner has also issued a Charge Memo against the petitioner for the alleged misfeasance/malfeasance by the petitioner as a Scheme Trustee of the trust, namely, Arulmigu Santhakula Sowmya Narayana Kavaraya Kattalai. The petitioner has also now filed a Revision under Section 114 of the



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TNHR&CE Act, 1959 along with a stay petition before the first respondent.

5. Now, the prayer of this Writ Petition is only for a direction to the first respondent to dispose of the Revision Petition filed by the petitioner on 19.06.2025.

6. The learned Additional Government Pleader for the respondents submits that the Revision Petition filed by the petitioner on 19.06.2025 against the order, dated 09.06.2025 will be disposed of within a period of six months.

7. Recording the above submission of the learned Additional Government Pleader for the respondents, there shall be a direction to the first respondent to number the Revision Petition filed by the petitioner, dated 19.06.2025 against the order, dated 09.06.2025 as expeditiously as possible preferably within a period of six (6) months from the date of receipt of a copy of this order.

8. Since the petitioner has also filed a stay petition against the order, dated 09.06.2025 passed by the second respondent/Commissioner directing the third respondent to issue a Show Cause Notice under Section 90(2) of the TNHR&CE



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Act, 1959, there shall be a direction the first respondent to dispose of the petitioner's stay petition within a period of 30 days from the date of receipt of a copy of this order.

9. This Writ Petition is disposed of, with the above observations. No costs.

Consequently, connected miscellaneous petition is closed.

Index : Yes / No

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Internet : Yes / No

apd

To

1. The Additional Chief Secretary to Government,
Hindu Religious and Charitable Endowment Department,
Chennai.

2. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.

3. The Joint Commissioner,
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C.SARAVANAN, J.

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