



W.A.(MD)No.125 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.125 of 2023
and
C.M.P.(MD)No.1582 of 2023**

V.Balakrishnana

... Appellant

Vs.

1.R.Rajaram

2.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
119, Uthamar Gandhi Salai,
Chennai – 600 034.

3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
B-1, Road, Ellis Nagar,
Madurai – 625 016.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.25806 of 2022 dated 15.11.2022 on the file of this Court.

1/6



W.A.(MD)No.125 of 2023

WEB COPY

For Appellant : Mr.G.Prabhu Rajadurai

For Respondents : Mr.C.Guhaseela Rupan for R1.
Mr.P.Subbaraj,
Spl. Government Pleader for R2 & R3.

JUDGMENT

Heard both sides.

2.The first respondent herein filed W.P.(MD)No.25806 of 2022 seeking action to be taken against the appellant herein. Even though the appellant was shown as the third respondent in the writ petition, without putting the appellant on notice, an order was passed on 15.11.2022 disposing of the writ petition in the following terms:-

“5.In view of the above submission and taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the 1st Respondent to consider the Petitioner's representation dated 02.09.2021, on its own merits and pass



WEB COPY



W.A.(MD)No.125 of 2023

appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order after granting opportunity to the Petitioner and also putting all interested parties on notice. It is made clear that this Court has not expressed any view with regard to the merits of the representation and it is open to the 1st Respondent to consider the representation on its own merits.”

Aggrieved by the said direction, this writ appeal has been filed.

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.



W.A.(MD)No.125 of 2023

WEB COPY 4.The writ appeal is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (K.R.S. J.)
04.06.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:

1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
119, Uthamar Gandhi Salai,
Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
B-1, Road, Ellis Nagar,
Madurai – 625 016.



WEB COPY



W.A.(MD)No.125 of 2023



WEB COPY



W.A.(MD)No.125 of 2023

G.R.SWAMINATHAN, J.
and
K.RAJASEKAR, J.

ias

W.A.(MD)No.125 of 2023

04.06.2025