

Madras High Court

V.Veeranan vs The Commissioner Of Hindu ... on 29 October, 2009

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:29/10/2009

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

W.P(MD)No.10733 of 2009

V.Veeranan

...Petitioner

Vs

The Commissioner of Hindu Religious and
Charitable Endowment,
Nungambakkam High Road,
Chennai-600 034.

...Respondent

Prayer

Writ Petition filed under Article 226 of the Constitution of India
praying for the issuance of Writ of Mandamus by directing the respondent to
consider the petitioner's representation dated 07-10-2009 read with earlier
petition dated 06-07-2009.

!For Petitioner ... Mr.G.R.Swaminathan

^For Respondents... Mr.K.M.Vijayakumar.

:ORDER

This writ petition has been filed praying for a Writ of Mandamus to direct the respondent to consider the petitioner's representation, dated 07-10-2009, read with the earlier petition, dated 06-07-2009.

2.The issue relates to the purchase of 95 cents of land in Kochadai, in Sr.No.122/2 belonging to Veediyudaya Ayyanar Koil at Virapptipathu through Court proceedings by filing Trust O.P.No.2 of 1997. The said sale has been challenged by the Fit Person of the temple, before this Court, in C.R.P.No.281 of 2002, and it is still pending. The petitioner had also filed a Writ Petition in W.P. No.1269 of 2009, to direct the respondent to dispose of the representation made by the petitioner. This Court, by an order, dated 16-02-2009, had directed the respondent to consider the representation of the petitioner and pass orders thereon. The respondent had passed an order, dated

19-06-2009, declining the request for compromise. Hence, the petitioner had filed the present writ petition, under Article 226 of the Constitution of India.

3.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

4.The learned counsel for the respondent had submitted that the petitioner had filed a revision petition before the respondent. He had further submitted that the petitioner could file a revision petition before the State Government, under Section 114 of the Hindu Religious and Charitable Endowments Act or he can prefer a review petition before the respondent to consider his request.

5.The learned counsel for the petitioner had submitted that the petitioner would submit a Review Petition to the concerned authority, with regard to the above mentioned issue.

6.In view of the submissions of the learned counsels appearing on both sides, it is made clear that it would be open to the petitioner to file a Review Petition before the respondent, within a period of ten days from today. On such Review Petition being filed, the respondent is directed to dispose of the same, within a period of six weeks thereafter.

7. Accordingly, this writ petition is disposed of with the above direction. No costs.

Gsr TO:

The Commissioner of Hindu Religious & Charitable Endowment, Nungambakkam High Road, Chennai-600 034.