

BEFORE THE COMMISSIONER, H.R. & C.E. ADMN. DEPARTMENT, CHENNAI.34.

Tuesday, the 6<sup>th</sup> day of August, Two Thousand and Thirteen

Present : Thiru P. Dhanapal, M.A.,B.L.,  
Commissioner.

A.P.10/2011 D2

Between.

1. S. Mariyappan
2. Chinnathambi.
3. V. Mandiri.
4. R. Sengodan. ... Appellants.

And

1. P. Rathinavelu.
2. Joint Commissioner, HR & CE , Salem. ... Respondents

A.P.11/2012 D.2.

Between.

1. Ayyanna Gounder
2. M. Ayyanar
3. M.V. Rathinam.
4. Chinnayan .. Appellants.

And.

P. Rathinavelu .. Respondent.

In the matter of Arulmigu Ayyanarappan Temple, Vembaneri,  
Sankari Taluk, Salem District.

Appeal Petition filed under section 69(1) of the Tamil Nadu HR &  
CE Act, 1959 (Tamil Nadu Act 22 of 1959) against the order dated  
11.4.2007 of the Joint Commissioner, HR & CE Admn.Department,  
Salem in allowing the O.A.23/1993 filed under Section 63(b) of the Act.

Common Order in R.Dis. A.P. 10/2011 and A.P. 11/2012 D2

Dated: 6.8.2013.

The above Appeal Petitions having come for final hearing before me on  
09.07.2013 in the presence of Thiru N. Sathyamoorthy, Counsel for the  
Appellants in A.P. 10/2011, Thiru K. Jayaraman, Counsel for the  
Appellants in A.P. 11/2012 and Thiru K. Inian Senthil ,Counsel for the  
Respondents (in both appeals), upon hearing their arguments and after  
perusing the records and the matter having stood over for consideration  
till this day, the following order is made.

**ORDER.**

The order dated 11.4.2007 passed by the Joint Commissioner, HR&CE Admn. Department, Salem in O.A. 23/1993 is hereby set aside and the matter is remitted back to the Joint Commissioner to hold an enquiry denova after affording the appellants and others an opportunity of being heard and for fresh disposal in accordance with law with reference to the order dated 19.1.1993 in S.M.R. 1/1993. It is open to the appellants in A.P. 10/2011 to file impleading petition and get themselves implead in the O.A. With these directions, both the appeal petitions are disposed of.

/typed to dictation/

Sd. P.Dhanapal,  
Commissioner.

/ true copy/ by order/

Superintendent.

**Note:**

Certified copy of annexure to the order containing the grounds will be furnished on receipt of a regular copy application duly affixed with a Court fee stamp of 0.25 p. with sufficient number of copy stamp papers valued at Re.1/

**To**

1. The Appellants in A.P. 10/2011 through Thiru N. Sathiamoorthi, Advocate, 62, New Addl.Law Chambers, High Court Buildings, Chennai.104.
2. The Appellants in A.P. 11/2012 through Thiru K. Jayaraman, Advocate, No. 35, Law Chambers, High Court Buildings, Chennai.104.
3. The Respondents in both Appeals through Thiru K. Inian Senthil, Advocate, 39, Maravaneri, 7<sup>th</sup> Cross Main Road, Salem 636 007.

**Copy to**

4. The Joint Commissioner, HR & CE Admn.Department, Salem.  
( with a copy of annexure to order ) The file in O.A. 23/1993 is returned herewith by Regd.Parcel. The receipt of the record should be acknowledged immediately.)
5. The Inspector, HR & CE Admn.Department, Mettur.
6. The Assistant Commissioner, HR&CE Admn. Department, Salem.  
(with a copy of annexure to order).
7. Extra.