

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

Tuesday the 4<sup>th</sup> day of December, Two thousand and twelve.

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

A.P. 79/2011.

Between.

Karunagaran Battachari  
S/o Srinivasa Battachari.

.. Appellant.

And.

The Joint Commissioner,  
HR & CE Admn. Dept., Salem.

..Respondents.

In the matter of Arulmighu Easwarar Temple, Kuppur, Dharmapuri Taluk and District.

Appeal Petition under Section 69(1) of the Tamil Nadu HR & CE Act, 1959 (Tamil Nadu Act 22 of 1959) against the order dated: 27.4.2011 of the Joint Commissioner, HR & CE Admn. Dept., Salem dismissing the O.A.29/2004 filed under Section 63 (b) of the Act.

Order in R.Dis. A.P. 79/2011 (D2) dated 4.12.2012.

The above Appeal Petition having come on for final hearing before me on 20.11.2012 in the presence of Thiru W.C.Thiruvengadam, Counsel for the Appellant, after hearing his arguments and upon perusing the connected records and the matter having stood over for consideration till this day, the following order is made:-

ORDER.

The order dated 27.4.2011 passed by the Joint Commissioner, HR&CE Admn. Salem in O.A.29/2004 is hereby set aside. The matter is remitted back to the Joint Commissioner to hold an enquiry denova after affording the

appellant and other persons having interest if any an opportunity of being heard and dispose of the same on merits and in accordance with law within a period of 3 months from the date of receipt of copy of this order. The appellant shall also co-operate for the expeditious disposal of the O.A. enquiry without any default. With these directions, the appeal petition is 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/- each.

To

1. The petitioner through Thiru W.C. Thiruvengadam, Advocate, 23, Bagavantham Street, T.Nagar, Chennai. 17.

Copy to:

2. The Joint Commissioner, HR&CE Admn. Dept., Salem.  
(With a copy of annexure to order along with file in R.Dis.O.A.29/2004 containing pages 2 + 76 **by Regd.Parcel**. The receipt of the file may be acknowledged immediately)
3. The Inspector, HR&CE Admn. Department, Dharmapuri.
4. The Assistant Commissioner, HR&CE Admn. Department, Dharmapuri.  
(with a copy of annexure to order)
5. Extra.