

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

Tuesday the 20th day of January, Two thousand and Fifteen.

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

A.P. 22/2014

Between

S. Ramesh

. .. Appellant.

And

1. The Executive Officer,
Arulmighu Vedhagirishwarar Temple,
Thirukazhukundram 603 109,
Kancheepuram District.
2. The Executive Officer,
Arulmighu Varadharajaperumal Temple,
Kancheepuram.
3. The Executive Officer,
Arulmighu Ekambaranathar Temple,
Kancheepuram.
4. The Joint Commissioner,
H.R. & C.E. Admn.Dept., Vellore.9.

.. Respondents

In the matter of Arulmighu Vedhagirishwarar Temple,
Thirukkazhukundram, Kancheepuram District.

Appeal Petition filed under Section 69(1) of the Tamil Nadu H.R. & C.E. Act, 1959 (Tamil Nadu Act 22 of 1959) against the order dated 6.03.2014 of the Joint Commissioner, HR&CE Admn. Department, Vellore in dismissing the O.A. 5/2013 filed under Section 63 (c) of the Act.

Order in R.Dis. A.P. 22/2014 D2 dated : 20.01.2015.

The above Appeal Petition having come on for final hearing before me on 20.1.2015. The Appellant herein died on 29.6.2014 and on the memo filed by the counsel for the appellant requesting time to bring Legal Representatives on record, the appeal petition posted for hearing on 19.11.2014, 25.11.2014, 16.12.2014 and finally on 20.1.2015. On all the occasions the counsel for the appellant called absent. M/s.A.S. Kailasam & Associates, Counsel for the 1st

Respondent and Thiru E. Ganesh, Counsel for the 2nd and 3rd Respondents appeared. Upon hearing their arguments and perusing the connected records the following order is made:-

ORDER.

The appellant herein died on 29.6.2014. The Counsel for the appellant filed a memo to that effect on 10.10.2014 and requested time to bring Legal Representatives on record. Therefore the above petition came up for hearing on 14.11.2014, 25.11.2014, 16.12.2014 and finally on 20.1.2015. On all the occasions the counsel for the appellant called absent. As per Article 120 of the Limitation Act, 1963, the Legal Representatives of a deceased appellant shall be made as party within ninety days from the date of death of the Plaintiff. But in this case no steps were taken to bring the Legal Representative on record even after lapse of 7 months. Therefore, the appeal petition is dismissed as abated.

/ typed to dictation/

Sd. P. Dhanapal,
Commissioner.

/ true copy/ by order/

Superintendent.

To

1. The Appellant through Thiru J. Lakshminarayanan, Advocate, No.472, Law Chambrs, High Court Buildings, Chennai.104.
2. 1st Respondent through M/s A.S. Kailasam and Associates, Advocate, No. 86, Law Chambers, High Court Buildings, Chennai.104.
3. 2nd & 3rd Respondents through Thiru E. Ganesh, Advocate, No.61/23, Sakthi Avenue, South Lock Street, Kottur, Chennai 600 085.

Copy to:

4. The Joint Commissioner, HR & CE Admn.Dept., Vellore.
5. The Assistant Commissioner, HR&CE Admn.Dept., Kanchipuram.
6. The Inspector, HR&CE Admn,Department, Chingleput.
7. Extra.