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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.1.2015

CORAM:

THE HON'BLE MR. JUSTICE SATISH K. AGNIHOTRI
and
THE HON'BLE MR. JUSTICE M.VENUGOPAL

W.A. No.16 of 2015 and M.P. No.1 of 2015

1. Hindu Religious and Charitable
Endowment Administrative Department,
rep. By its Commissioner,
Chennai.34.
2. The Assistant Commissioner,
HR&CE Administrative Department,
Chennai.34.

Appellants

Vs.

1. Arulmigu Vasantha Vinayagar
Alaya Sangam,
rep. By its President,
M. Ramanathan,
1734 Vasantha Colony,
Anna Nagar West,
Chennai.40.
2. The Executive Officer,
Arulmigu Ekambareswarar Temple,
Aminjikarai,
Chennai 600 029.

Respondents

Writ Appeal filed under Clause 15 of the Letters Patent challenging the order dated 12.8.2014 passed in W.P. No.20929 of 2014.Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of a Certiorarified Mandamus calling for the records relating to the Order dated 15.4.2014 made in R.P. No.140/2013/D2 signed on 14.7.2014 by the 1st respondent official confirming the order dated 11.12.2013 made in Proc. Na.Ka.No.2791/ 2013/A1 by the 2nd respondent and quash the same and consequentially forbear the respondents from any manner interfering with the petitioner right to administer the day to day affairs, daily pooja, festival and other functions relating to the Vasantha Vinayagar Temple situated at 1734, Vasantha Colony Anna Nagar West, Chennai-40.



For appellants

Mr. S. Kandasamy
Spl. Govt. Pleader (HR & CE)

For Respondents

Mr. G. Ethirajulu

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JUDGMENT

(Judgment of the Court was delivered by SATISH K. AGNIHOTRI, J.)

The order dated 12.8.2014 passed by the Writ Court in W.P.No.20929 of 2014 was the subject matter of challenge in W.A.No. 1372 of 2014, preferred by the third respondent in the writ petition. A Division Bench of this Court, examining all the facts of the case, dismissed the said writ appeal.

2. Now, the respondents 1 and 2 in the writ petition have come up with the instant appeal, questioning the legality of the very same order. We do not find any merit in the instant appeal and accordingly, dismiss the same on the same grounds as stated in the judgment dated 28.10.2014 passed by the Division Bench of this Court in W.A.No. 1372 of 2014. Consequently, M.P. No. 1 of 2015 is dismissed. No costs.

ra

-s/d-
Deputy Registrar(J)
Dt:9/2/2015

True Copy

Sub-Assistant Registrar

To

1. Commissioner,
Hindu Religious and Charitable
Endowment Administrative Department,
Chennai.34.

2. The Assistant Commissioner,
HR&CE Administrative Department,
Chennai.34.

3. The Executive Officer,
Arulmigu Ekambareswaran Temple,
Aminjikarai, Chennai - 600029.

+ 1 cc to Govt. Pleader SR 4948

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W.A. No.16 of 2015