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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2015

CORAM :

THE HONOURABLE MR.JUSTICE V.RAMASUBRAMANIAN
and
THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Writ Petition (MD) No.22359 of 2015
and M.P(MD)No.1 of 2015

Mariappan ... Petitioner

Vs.

1.The Commissioner,
HR & CE Department,
Chennai 34.

2.The Joint Commissioner,
HR & CE Department, Thanjavur District,
Thanjavur.

3.The Executive Officer,
Arulmigu Podhu Aavudayar @
Mathiyapursihivarar Temple,
Parakalakottai Village,
Pattukottai Taluk,
Thanjavur District.

4.S.R.Ramanujam
5.Sadakoparamanujam
6.Balasubramanian
7.Boominathan ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to take appropriate action based on the petitioner's written representation dated 08.09.2015 as against the respondents 6 and 7 and their men from collecting money in the name of the above said temple.

For Petitioner : Mr.D.R.Murugesan
For Respondents 1&2 : Mr.V.R.Shanmuganathan,
Special Government Pleader.

ORDER

(Order of the Court was made by **V.RAMASUBRAMANIAN,J.**)

The petitioner has come up with the above writ petition seeking a mandamus to direct the respondents to consider his representation for preventing the respondents 6 and 7 from collecting

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money in the name of a temple by name Arulmigu Podhu Aavudayar @ Mathiyapursihivarar Temple, Parakalkottai Village, Pattukottai Taluk, Thanjavur District.

2.Heard Mr.D.R.Murugesan, learned counsel for the petitioner.

3.It appears that the respondents 4 and 5 in this writ petition are the hereditary trustees. The fourth respondent has already filed a suit in O.S.No.208 of 2013 on the file of the District Munsif Court, Pattukottai seeking a mandatory injunction directing one private respondent and the official respondents to return the amount of Rs.1,69,007/- taken out of the temple fund. The said suit is now pending. Therefore, leaving it open to the petitioner to implead himself in the suit and seek appropriate reliefs, the writ petition is dismissed. No costs. Consequently, M.P(MD)No.1 of 2015 is closed.

Sd/-
Assistant Registrar(Per.Admn.)

/True Copy/

Sub Assistant Registrar

To

1.The Commissioner, HR & CE Department, Chennai 34.
2.The Joint Commissioner, HR & CE Department,
Thanjavur District, Thanjavur.

+1cc to Mr.D.R.Murugesan, Advocate Sr.No.71386
+1cc to The Special Government Pleader SR.No.71651

Akm/22.12.2015/ 2p- 5c/NGM/SS

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