

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

And

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.1518 of 2016

And

C.M.P.No.18813 of 2016

Mr.S.Muthu

Former Senior Trustee

Kandakottam Sri Muthukumara

Swamy Devasthanam

... Appellant/Petitioner
in W.P. No 32408/2016.

Vs.

1. The Secretary to Government,
Commercial Taxes and Religious Endowments,
Fort St.George,
Chennai 600 009.

2. The Commissioner,
Hindu Religious and Charitable Endowments
Uttamar Gandhi Road,
Nungambakkam,
Chennai 600 034.

3. Ms.P.Vijaya/ The Fit Person,
Sri Muthukumaraswamy Devasthanam

4. The Joint Commissioner,
Hindu Religious and Charitable Endowments
Uttamar Gandhi Road,
Nungambakkam,
Chennai 600 034.

... Respondents/Respondent
in W.P. No 32408/2016.

Prayer:

Writ appeal filed under Clause 15 of Letters Patent praying to set aside the order passed in W.P.No.32408 of 2016 dated 16.09.2016.

Prayer in W.P. No 32408/2016:

Petition filed under Article 226 of the constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the entire records pertaining in ref. No.30979/ 2016/ L 5/

11.08.2016 signed on 16.08.2016 and affixed on 18.08.2016 in the notice board of Sri Muthukumarasamy Devasthanam @ Kandha Kottam 6 and the Corrigendum in ref. No. 30979/ 2016/ L 5/ 23.08.2016 affixed in the notice board of Sri Muthukumarasamy Devasthanam @ Kandha Kottam on 23.08.2016 both passed by the 2nd respondent and quash the same thereby administer the 3rd respondent temple as per the Scheme degree passed in C.S. No. 117 of 1907 dated 12.01.1990 and 25.10.1990.

For Appellant : Mr.S.Silambannan
Senior Counsel
for M/s.K.Mohanamurali
For Respondent Nos.1, 2 & 4: Mr.M.Maharaja
Special Government Pleader
For Respondent No.3 : Mr.R.Bharanidharan

J U D G M E N T

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

The writ petition filed by the appellant challenging the notice issued by the Hindu Religious and Charitable Endowments Department was dismissed by the learned Single Judge. Feeling aggrieved, the appellant has come up with this appeal.

2.The learned counsel for the appellant submitted that during the currency of this appeal, the Department passed a final order dated 02.06.2017 and the same is under challenge in W.P.No.15026 of 2017.

3.In view of the subsequent events relating to the conclusion of the proceedings, nothing survives for adjudication. It is open to the appellant to take up all the contentions available to him in the pending writ petition in W.P.No.15026 of 2017.

4.The intra court appeal is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petition is also closed.

s/d-
Assistant Registrar(CS-V)

True Copy

Sub-Assistant Registrar

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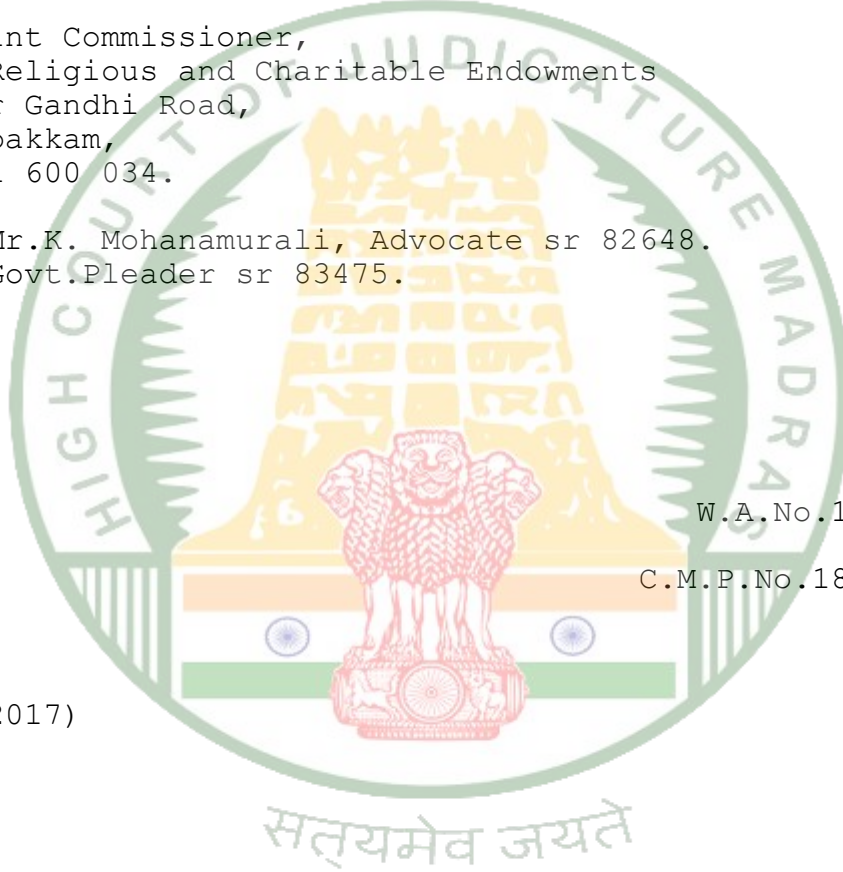
To

1. The Secretary to Government,
Commercial Taxes and Religious Endowments,
Fort St.George,
Chennai 600 009.
2. The Commissioner,
Hindu Religious and Charitable Endowments
Uttamar Gandhi Road,
Nungambakkam,
Chennai 600 034.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowments
Uttamar Gandhi Road,
Nungambakkam,
Chennai 600 034.

+1 CC to Mr.K. Mohanamurali, Advocate sr 82648.
+1 CC to Govt.Pleader sr 83475.

W.A.No.1518 of 2016
And
C.M.P.No.18813 of 2016

RR(CO)
SP(15/12/2017)



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