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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2017

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

W.A.(MD)No.99 of 2017
and C.M.P.(MD) No.970 to 972 of 2017

P.M.Matcharani ... Appellant/Petitioner

Vs.

1.The Fit Person/Deputy Commissioner,
Arulmigu Pandi Mneeswarar Temple,
Melamadai, Madurai District.

2.The Executive Officer / Deputy Commissioner,
Arulmigu Pandi Mneeswarar Temple,
Melamadai, Madurai District.
And Hindu Religious and Charitable
Endowment Department.

3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Madurai. ... Respondents/Respondents

Writ Appeal filed under Clause 15 of Letter Patent against the order passed by this Court in W.P.(MD)No.23679 of 2016 dated 15.12.2016.

Prayer in WP(MD). 23679/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the proceedings of the 1st respondent in Na.Ka.No. 53/2016/E1 dated 30.11.2016 and quash the same and consequently direct the respondents to allocate the pooja murai to the petitioner on the dates allocated as a share of the petitioners mother Anandhavalli in her capacity as a heredity Trustee of Arulmigu Pandi Muneeswarar Temple, Melamadai, Madurai i.e. from 02.12.2016 and on all such allocated days in the above said temple.

For Appellant : Mr.R.Anand
For Respondents : Mr.VR.Shanmuganathan
Special Government Officer

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JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J)

The writ appeal has been preferred against the order of the learned Single Judge dated 05.12.2016, passed in W.P.(MD) No.23679 of 2016.

2.Heard the learned counsel appearing for the appellant and the learned Special Government Pleader appearing for the respondents and also perused the materials available on record.

3.As rightly submitted by the learned Special Government Pleader appearing for the respondents, in view of the subsequent developments nothing survives for consideration in this Writ Appeal. That is the reason why the learned counsel appearing for the appellant in the connected writ appeal in W.A.(MD) No.85 of 2017 submitted that the said Writ Appeal may be dismissed as withdrawn as the matter has become infructuous in view of the subsequent order of the first respondent dated 05.04.2017, restoring the status of original Poojari by name P.M.Chellapandi.

4.The cause of action for the writ petition has arisen because the said Poojari P.M.Chellapandi was suspended. Therefore, his suspension created cause of action for the appellant. Now, the original Poojari Chellapandi has succeeded through the proceedings dated 05.04.2017. Hence, nothing survives for adjudication in this appeal. If the appellant is aggrieved, he has to challenge the order dated 05.04.2017.

5.With the above said observation, this Writ Appeal is dismissed. No costs. Consequently, connected Miscellaneous Petitions are also dismissed.

Sd/-
Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The Fit Person/Deputy Commissioner,
Arulmigu Pandi Mneeswarar Temple,
Melamadai, Madurai District.

2.The Executive Officer / Deputy Commissioner,
Arulmigu Pandi Mneeswarar Temple,
Melamadai, Madurai District.
And Hindu Religious and Charitable
Endowment Department.

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3.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Madurai.

+ 1 CC TO Mr. R.ANAND, ADVOCATE IN SR No. 69631

SJ
TE/SKN-RSK/SAR-I : 04/08/2017 : 3P/5C

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and C.M.P.(MD) No.970 to 972 of 2017
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