



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

WP (MD) No.23895 of 2017

and

WMP (MD) Nos.20037 and 20038 of 2017

Karuthapandi

... Petitioner

Vs.

1.The Special Duty Collector,
Revenue Court,
Narayanapuram West 1st street,
Madurai - 14.

2.Arulmigu Madhana Gopalasamy,
Thirukovil,
Melamasi Veedhi,
Madurai - 625 001.
through its Executive Officer.

3.The Thasildar,
Vadipatti Taluk Office,
Vadipatti,
Madurai District.

4.The Village Administrative Officer,
Kallanai Village,
Vadipatti Taluk, Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus calling for the records pertaining to the impugned public Auction-Cum Tender Notice issued by the 2nd respondent dated 01.11.2017 and quash the same as illegal, arbitrary and directing 2nd respondent to permit the petitioner to continue as a cultivating tenant.

For Petitioner : Mr.R.Ganesan

For Respondents 1,3 & 4 : Mr.T.S.Mohamed Mohideen,
Additional Government Pleader

For Respondent -2 : Mr.S.Manohar

ORDER

The writ petitioner's mother was a cultivating tenant under the second respondent. She was in arrears. Temple initiated eviction proceedings and eviction order was passed on 07.04.2017. Possession was also taken on 26.04.2017. The writ petitioner's mother passed away on 22.09.2017. At this stage, the temple is bringing the above mentioned property for public auction. The same is perfectly correct and in accordance with statute.

2. The writ petition has no legal right. There is no merit in this writ petition. The writ petition stands dismissed. Consequently, WMP(MD)Nos.20037 and 20038 of 2017 are closed. No costs.

Sd/-
Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Special Duty Collector,
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Vadipatti Taluk,
Madurai District.

+One cc to Mr.R.Ganesan, Advocate, SR.No.94473
+One cc to The Special Government Pleader, SR.No.95104
dsk
RL/7C/2P/SKN/RSK/SAR1/1/2/2018

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