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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.04.2017

CORAM:

THE HON'BLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.6802 of 2017
and
WMP(MD)Nos.5366 & 5367 of 2017

N.Sivasubramanian Naidu ... Petitioner

Vs.

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

2. The Assistant Commissioner,
   Hindu Religious Charitable and
   Endowment Depaprtment,
   Madurai.

3.V.Balakrishnan ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorari calling for the records relating to the proceedings of the 3rd respondent dated 03.04.2017 published in Daily Thanthi dated 04.04.2017 in order to conduct special meeting to select three persons for appointment as trustees from the Santhakula, Sowmiya Narayana Kavaraya Naicker Community and quash the same.

For Petitioner : Mr.N.Shanmugaselvam

For Respondents : Mr.M.Alagathevan
Special Government Pleader

O R D E R

This petition has been filed challenging the notification of the third respondent dated 03.04.2017 published in Daily Thanthi, dated 04.04.2017 for the purpose of conducting Special Committee to select three persons to appointment as Trustees from the Santhakula, Sowmiya Narayan Kavraya Naicker Community. The said notification was issued in pursuance of the order passed by

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this Court, dated 21.12.2016 in W.P.(MD).No.2579 of 2010. The learned Judge of this Court in the said order has given direction as follows:

> "4. Accordingly, without going into the merits of the writ petition, there shall be a direction to the first respondent to appoint three trustees from among the persons selected from the petitioner's community with the assistance of the fourth respondent Thakkar. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order."

2.Admittedly the impugned notification was issued in pursuance of the directions passed by this Court and therefore the present writ petition challenging such notification cannot be maintained. The action of the official respondent is only towards complying with the specific direction passed by this Court dated 21.12.2016 and therefore the same cannot be questioned in any other manner.

3.In such view of the matter, the present writ petition is not maintainable and therefore the same cannot be entertained. Hence this writ petition is dismissed. No Costs. Consequently, connected miscellaneous petitions are dismissed.

Sd/-
Assistant Registrar(cS-II)

/True Copy/

Sub Assistant Registrar

To
1. The Joint Commissioner,
   Hindu Religious Charitable and
   Endoment Department,
   Madurai.

2. The Assistant Commissioner,
   Hindu Religious Charitable and
   Endowment Department,
   Madurai.

+1cc to Mr.N.Shanmugaselvam, Addvocate Sr.No.51880

pjl

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