

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED 19.12.2018

CORAM
THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P.No.33959 of 2018
and
W.M.P.Nos.39435 & 39437 of 2018

T.Thangaraj

.. Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Nungambakkam, Chennai-34.
2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Vellore District.
3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Vellore District.
4. The Executive Officer,
Arulmigu Achudanandaswamy Madalayam.
Ranipettai, Walajah Taluk,
Vellore District.

.. Respondents

PRAYER: Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records in connection with the auction notice published in the Daily Thanthi News Paper on 09.12.2018 and auction on 21.12.2018 at 11.00 AM auction the temple land in S.No.458/3 to an extent of 3550 sq.ft. Situated at Vannivedu Village, Walajah Taluk, Vellore District and permit the petitioner to use the land as pathway to enter the petitioner's land in S.Nos.449/1, 450/3.

For Petitioner : Mr.R.Chandrasekaran

For RR1 to 3 : Mr.M.Maharaja,
Special Government Pleader (HR & CE)

For R4 : Mr.R.Karthikeyan

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed to call for the records in connection with the auction notice published in the Daily Thanthi News Paper on 09.12.2018 for conducting auction on 21.12.2018 at 11.00 AM with respect to the temple land in S.No.458/3 to an extent of 3550 sq.ft. situated at Vannivedu Village, Walajah Taluk, Vellore District and permit the petitioner to use the land as pathway to enter his land in S.Nos.449/1, 450/3.

3. Heard Mr.R.Chandrasekaran, learned counsel appearing for the petitioner and Mr.M.Maharaja, learned Special Government Pleader appearing for the respondents 1 to 3 as well as Mr.R.Karthikeyan, learned counsel appearing for the respondent No.4.

4. Earlier, when the petitioner approached this Court, he was given an option to approach the respondents to make a representation, which would be considered by the respondents on merits. Though it is stated that he had given a representation dated 27.11.2018, there is no acknowledgement for the same and the respondents also denied the receipt of any such representation from the petitioner. In the meanwhile, the Temple had issued an auction notice scheduling the auction to take place on 21.12.2018. Even in the earlier order, this Court had permitted the petitioner to take part in the auction. Since the petitioner having not chosen to file any proof for sending his representation, can now participate in the public auction that has been announced by the respondents. The learned counsel appearing for the petitioner also stated that he would participate in the auction to be held on 21.12.2018.

5. In the light of the above, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rsi

To

1.The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Nungambakkam,
Chennai-34.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Vellore District.

3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Vellore District.

4.The Executive Officer,
Arulmigu Achudanandaswamy Madalayam.
Ranipettai, Walajah Taluk,
Vellore District.

+1cc to Mr.R.Karthikeyan, Advocate, S.R.No.89285

+1cc to Mr.R.Chandrasekaran, Advocate, S.R.No.88204

+1cc to the Government Pleader, S.R.No.89810

W.P.No.33959 of 2018
and

W.M.P.Nos.39435 & 39437 of 2018

EV (CO)

rrs 09/01/2019

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