



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2018

CORAM

**THE HON'BLE MR.JUSTICE N.KIRUBAKARAN
AND
THE HON'BLE MRS.JUSTICE R.THARANI**

W.A.(MD)No.126 of 2018
and C.M.P(MD)Nos.658 and 659 of 2018

K.Mahalingam

... Appellant/Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment,
The Administration Department,
Chennai - 34.
- 2.The Joint Commissioner,
O/o. Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai.
- 3.The Fit Person,
Arulmigu Santhakula Sowmiya,
Narayana Kavaraya Trust,
No.1, Gandhi Road,
Palani, Dindigul District.

... Respondents/Respondents

Writ Appeal filed under Clause 15 of Letter Patent against the order passed by this Court in W.P.(MD)No.3297 of 2015 dated 10.03.2015.

Prayer in WP(MD). 3297/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.2 to collect the rent for vacant portion in the upstairs situated above shops in 1/26, 1/27 at Gandhi Road, Palani Town, Dindigul District, within the time frame fixed by this Honourable Court.

For Appellant : Mr.T.Lajapathi Roy

For Respondents 1 & 2 : Mr.VR.Shanmuganathan
Special Government Pleader

For 3rd Respondent : Mr.B.Saravanan

JUDGMENT

(Judgment of the Court was delivered by N.KIRUBAKARAN, J)

Since the third respondent refused to receive the rent, the appellant was compelled to approach this Court by filing the Writ Petition, which was not entertained by the learned Single Judge, against which the present appeal has been filed.

2. When the matter was called today, the learned counsel appearing for the petitioner submits that the third respondent started receiving the rent and therefore, the prayer sought for by the appellant in the writ petition has become infructuous.

3. The learned counsel appearing for the third respondent agreed with the submission made by the learned counsel appearing for the petitioner.

4. In view of the fact that the writ proceedings have become infructuous, this Writ Appeal is closed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub-Assistant Registrar

To

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

2. The Joint Commissioner,
O/o. Joint Commissioner,
Hindu Religious and Charitable Endowment,
Madurai.

+One cc to The Special Government Pleader, SR.No.45574
+One cc to Mr.T.Lajapathi Roy, Advocate, SR.No.45352

sj

RL/5C/2P/KK/SAR1/14/2/2018

W.A. (MD) No.126 of 2018

and

C.M.P (MD) Nos.658 and 659 of 2018