



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Eighteenth day of June Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.SUNDAR

CMP(MD) No.4234 of 2018

IN

AS No.801 of 2002

1 THE FIT PERSON
ARULMIGHU PANDI MUNESWARAR THIRUKOIL
MELAMADAI MADURAI

2 THE EXECUTIVE OFFICER,
ARULMIGHU PANDI MUNESWARAR THIRUKOIL
MELAMADAI MADURAI

... PETITIONERS/PROPOSED
RESPONDENTS 14 & 15

Vs

1 THE COMMISSIONER HINDU
RELIGIOUS AND CHARITABLE ENDOWMENTS,
ADMINISTRATION DEPARTMENT
119 UTHAMAR GANDHI RAOD,
NUNGAMBAKKAM HIGH ROAD, CHENNAI-34

2 THE JOINT COMMISSIONER,
HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS
NO.1 MELACHITHRAI VEEDHI MELTHALAM
MADURAI NAGAR
P.M. RAJA (DIED)
Son of Perianan

...RESPONDENTS 1 & 2/APPELLANTS

3 KARTHIK
4 SIVAJI POOSARI
5 RAMESH POOSARI ...RESPONDENTS 3 to 5/RESPONDENTS 2 to 4
P.PANDIAN POOSAI (DIED) ...5th RESPONDENT

6 K.PANDIAN POOSARI
7 P.MARUTHUPANDI
8 LAKSHMI
9 SARAVANA PANDIAN
10 RABELLAO
11 P.SEETHALAKSHMI
12 P.M.PANDIARAJAN
13 DHANAM



15 K.PONNAN

... RESPONDENTS 6 to 15/

RESPONDENTS 6 to 15

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to implead the petitioners/Proposed Respondents 14 and 15 herein as respondents 14 and 15 in the above first appeal and pass such other or further orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

PRAYER IN AS No.801 of 2002:

to prefer this Memorandum of regular Appeal before this Hon'ble Court against the Judgment and Decree passed in O.S.No.413/2000 dated 28.06.2002 on the file of the Principal Sub-Judge, Madurai,

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.V.R.SHANMUGANATHAN, Special Government Pleader for the petitioner and of Mrs.S.PARAMESHWARI for M/S.J.ANANDHAVALLI, Advocate for R8 to R10, R12 to R14 and of MR.V.SITHARANJANDAS, Advocate for R2,4,6 & 15 and Respondent 3 not appearing either in person or by an Advocate, the court made the following order:-

This petition has been taken out by the learned State Counsel for appellants in the main appeal stating that fit person and Executive Officer have since been appointed for the temple which is subject matter of the instant appeal.

2.This petition is being opposed by Mr.V.Sitharanjandas, learned Counsel appearing for Respondents 2, 4, 6 and 15.

3.With the intention to avoid this becoming an impediment in the main appeal being heard, learned State Counsel submits that he will not press this application for the present and makes a request that his rights in this regard shall be preserved / reserved.

4.Learned State Counsel has made an endorsement in the Court file, which reads as follows:

"Petition is not pressed for the present with liberty to renew them if necessary on an understanding that main appeal is to be taken up for final disposal."

5.This Civil Miscellaneous Petition is disposed of / closed, reserving / preserving the rights of the appellants as mentioned supra.

sd/-

18/06/2018

/ TRUE COPY /



THE PRINCIPAL SUBORDINATE JUDGE, MADURAI

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ORDER
IN
CMP (MD) No.4234 of 2018
IN
AS No.801 of 2002
Date :18/06/2018

SMA/CM-VR/RNB/22.06.2018:3P/2C