



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
Thursday, the Twenty Eighth day of February, Two Thousand and  
Nineteen

PRESENT

WEB COPY

The Hon'ble Mr. Justice G.R. SWAMINATHAN

WMP (MD) Nos. 3776 to 3778 of 2019  
in  
WP (MD) Nos. 11947 to 11949 of 2018

- 1 M. PANDI,  
SHOP NO. 1, WEST VADAMPOKKE STREET,  
ARULMIGU MADHANAGOPALASAMY THIRUKOIL COMPLEX,  
MADURAI-1. ...Petitioner in WMP (MD) No. 3776/2019
- 2 D. KANAGAVEL,  
SHOP NO. 2,  
WEST VADAMPOKKE STREET,  
ARULMIGU MADHANAGOPALASAMY THIRUKOIL COMPLEX,  
MADURAI-1 ...Petitioner in WMP (MD) No. 3777/2019
3. K. SARAVANAN,  
SHOP NO. 4, WEST VADAMPOKKE STREET,  
ARULMIGU MADHANAGOPALASWAMY THIRUKOIL COMPLEX,  
MADURAI - 1 ...Petitioner in WMP (MD) No. 3778/2019

Vs

- 1 THE GOVERNMENT OF TAMILNADU,  
REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT,  
TOURISM, CULTURE AND ENDOWMENTS DEPARTMENT,  
SECRETARIAT, CHENNAI-9.
- 2 THE COMMISSIONER,  
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,  
NUNGAMBAKKAM, CHENNAI.
- 3 THE JOINT COMMISSIONER,  
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,  
MADURAI-1.
- 4 THE ASSISTANT COMMISSIONER  
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,  
MADURAI-1.
- 5 THE EXECUTIVE OFFICER,  
ARULMIGU MADHANAGOPALASWAMY THIRUKOIL,  
MADURAI-1.



6 NAGARAJAN,  
SHOPNO.1, WEST VADAMPOKKE STREET,  
ARULMIGU MADHANAGOPALASAMY THIRUKOVIL COMPLEX,  
MADURAI-1. ... RESPONDENTS in all WMPs

**COMMON PRAYER IN WMPs:**

To pass an order of to issue a Direction to the 5th respondent to permit the petitioner to continue the occupation of Shop No.1,2,4 respectively, West Vadampokke Street, Arulmigu Maddhanagoplaswamy Thirukoil complex, Madurai till the final disposal of the SLP (Civil) No.3007-3051 of 2019 pending before the Hon'ble Supreme Court of India.

**Prayer in WP(MD)No. 11947/ 2018 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus and call for the records relating to the order Na.Ka.No.3518 / 2013 / C1 dated 17/02/2016 passed by the 3rd respondent, the order R.P.No.114 / 2016 D2 dated 22/06/2016 passed by the 2nd respondent, the G.O.(D) No.54, Tourism, Culture and Endowments (A.Ni.5-1) Department dated 26/03/2018 issued by the 1st respondent and the consequent order Na.ka.no.1823 / 2013-4 / Aa.1 dated 12/05/2018 passed by the 4th respondent and quash the same and consequently, direct the 1st to 5th respondents to continue the lease of Shop.no.1 to the petitioner duly collecting the fair rent in accordance with law.

**Prayer in WP(MD)No. 11948/ 2018 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus and call for the records relating to the order Na.Ka.No. 3519/2013/C1 dated 17.02.2016 passed by the 3rd respondent, the order R.P.No. 111/2016.D2 dated 22.06.2016 passed by the 2nd respondent, the G.O(D) No. 55, Tourism, Culture and Endowments (A.Ni.5-1) Department dated 26.03.2018 issued by the 1st Respondent and the consequent order Na.Ka.No. 1828/2013-4/Aa.1 dated 12.05.2018 passed by the 4th respondent and quash the same and consequently, direct the 1st to 5th respondents to continue the lease of Shop No. 2 to petitioner duly collecting the fair in accordance with law.

**Prayer in WP(MD)No. 11949/ 2018 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus call for the records relating to the order Na.Ka.No.3517/2013/C1 dated 17.02.2016 passed by the 3rd respondent the order R.P.No.112/2016.D2 dated 22.06.2016 passed by the 2nd respondent, the G.O.(D) No.52 Tourism, Culture and Endowments (A.Ni.5-1) Department dated 23.03.2018 issued by the 1st respondent and the consequent order Na.Ka.No.1822/2013-4/Aa.1 dated 12.05.2018 passed by the 4th respondent and quash the same and consequently to petitioner duly collecting the fair in accordance with law.



**ORDER :** These Miscellaneous Writ Petitions are coming on for orders on this day and upon perusing the petition and affidavit filed in support thereof and upon hearing the arguments of Mr.A.Thirumurthy, Advocate for the Petitioners and of Mr.R.Sethuraman, Special Government Pleader on behalf of the Respondents 1 to 4 and of Mr.S.Manohar, Advocate for the 5<sup>th</sup> Respondent, this Court made the following order:-

The petitioners were permitted to occupy the petition mentioned premises that belongs to the respondent temple till 28.02.2019. This Court granted such time to the petitioner based on their own undertaking. It was also specifically made clear that no further extension of time would be sought and entertained. I am squarely bound by the aforesaid order dated 27.12.2018 made in a batch of miscellaneous petitions.

2. Therefore, these miscellaneous petitions have to be dismissed as not maintainable. However, the dismissal of these miscellaneous petitions will not come in the way of the temple from sympathetically considering the case of the petitioners.

Sd/-

Assistant Registrar (CII)

/ True Copy /

Sub Assistant Registrar

TO

- 1 THE PRINCIPAL SECRETARY TO GOVERNMENT,  
GOVERNMENT OF TAMILNADU,  
TOURISM, CULTURE AND ENDOWMENTS DEPARTMENT,  
SECRETARIAT, CHENNAI-9.
- 2 THE COMMISSIONER,  
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,  
NUNGAMBAKKAM, CHENNAI.
- 3 THE JOINT COMMISSIONER,  
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,  
MADURAI-1.
- 4 THE ASSISTANT COMMISSIONER  
HINDU RELIGIOUS AND CHARITABLE ENDOWMENT DEPARTMENT,  
MADURAI-1.
- 5 THE EXECUTIVE OFFICER,  
<https://hcservices.ecourts.gov.in/hcservices/>  
ARULMIGU MADHANAGOPALASWAMY THIRUKOIL,  
MADURAI-1.



+3 C.C. to Mr.A.THIRUMURTHY Advocate SR.No.50693

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ORDER DATED: 28.02.2019

ORDER

WMP (MD) Nos.3776 to 3778 of 2019  
in  
WP (MD) Nos.11947 to 11949 of 2018

Giving directions etc.,  
as stated within.

ES/01.03.2019/4P/9C