

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

WP.Nos.3434, 3440 & 3442 of 2019

and

WMP.Nos.3726, 3736 & 3738 of 2019

C.Ramalingam

...Petitioner
(in WP.No.3434 of 2019)

J.K.Krishnamurthy

...Petitioner
(in WP.No.3440 of 2019)

Amudha

...Petitioner
(in WP.No.3442 of 2019)

vs.

1.The Commissioner
Hindu Religious and Charitable
Endowments Department
Nungambakkam High Road,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner
Hindu Religious and Charitable
Endowments Department
Behind Bus Stand
Villupuram, Villupuram District.

3.The Assistant Commissioner
Hindu Religious and Charitable
Endowments Department
Cuddalore - 607 001.

... respondents 1 to 3(in
all WPs)

4.The Executive Officer
A/M. Rajagopalaswami Thirukoil
Pudupalayam, Cuddalore - 607 001.

...4th respondent
(in WP.Nos.3434 & 3440 of 2019)

4.The Executive Officer
A/M.Rettai Pillaiyar Thirukoil
Pudupalayam, Cuddalore-607 001.

...4th respondent
(in WP.No.3442 of 2019)

Writ Petition No.3434 of 2019 filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records and quash the proceeding of the 2nd respondent in his Rc.No.2064/2018/C2/date 10.11.2018.

Writ Petition No.3440 of 2019 filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records and quash the proceeding of the 2nd respondent in his Rc.No.841/2018/C2/date 10.11.2018.

Writ Petition No.3442 of 2019 filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records and quash the proceeding of the 2nd respondent in his Rc.No.840/2018/C2/date 10.11.2018.

For Petitioner : Mr.D.Baskar
(in all Wps)

For Respondents: Mr.M.Maharaja
Special Government Pleader
for R1 to R3
(in all WPs)

C O M M O N O R D E R

Mr.M.Maharaja, learned Special Government Pleader takes notice for the respondents 1 to 3. Since these writ petitions are disposed of without affecting the interest of the fourth respondent in any manner, notice to the said respondent is dispensed with.

2. These writ petitions are filed challenging the proceedings, which are nothing but a notice issued under Section 78(2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 to the respective petitioners to show cause as to why the encroachment referred to in each notice should not be removed.

3. Needless to say that this Court, at this stage, will not interfere with the said notices/summons, as it is for the respective petitioners to raise all the contentions as raised in these writ petitions before the authority who issued the notice. Instead of doing so, filing of the present writ petitions and questioning the summon itself is not a proper course of action and thus, the same cannot be entertained by this Court.

4. Accordingly, all these writ petitions are dismissed without expressing any view on the merits of the matter,

however, by granting liberty to the petitioners to make all the submissions before the respondent who issued the summons. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mk

To

- 1.The Commissioner
Hindu Religious and Charitable
Endowments Department
Nungambakkam High Road,
Nungambakkam, Chennai-600 034.
- 2.The Joint Commissioner
Hindu Religious and Charitable
Endowments Department
Behind Bus Stand
Villupuram, Villupuram District.
- 3.The Assistant Commissioner
Hindu Religious and Charitable
Endowments Department
Cuddalore - 607 001.

+3ccs to R.Gururaj, Advocate, S.R.Nos.10172 to 10174
+1cc to the Government Pleader, S.R.No.10304

WP.Nos.3434, 3440 & 3442
of 2019

RR(CO)

rrs 28/02/2019

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