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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2019
CORAM
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.21665 of 2010
and
M.P.No.1 of 2010

1.G.R.Thiagasundara Mudaliar
Chairman, Advisory Body
2.S.Swaminathan
3.J.Sugumaran
4.P.V.Sambandam
5.S.Kumaresan ..Petitioners

Vs

1.The Commissioner,
Hindu Religious and Charitable endowment
(Admn) Dept.,
Nungambakkam High road,
Chennai - 34.

2.Adheenakarthar,
Sri la Sri Gnanaprakasa Desika Swamigal Mutt,
Big Kancheepuram,
Kancheepuram Taluk & Town,
Chengleput District. .. Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India seeking for a writ of certiorari, to call for the records relating to the order of draft modified scheme issued by the Commissioner, H.R.&C.E, Chennai, in Suo Motu O.A.1/2010 (R.C.NO.3972/2010 D2) dated 31.7.2010 and to quash the same.

For Petitioners : Mr.W.C.Sridhar
for M/s.W.C.Thiruvengadam

For Respondents : Mr.M.Maharaja
Special Government Pleader (HR&CE)
for R1
No appearance for R2

O R D E R

Heard Mr.W.C.Sridhar, learned counsel for the petitioners and Mr.M.Maharaja, learned Special Government Pleader (HR&CE) for the first respondent and perused the materials available on records.

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2.The petitioners have come forward with the present writ petition to issue a writ of certiorari, to quash the order of draft modified scheme issued by the first respondent dated 31.07.2010.

3. Mr.Maharaja, learned Special Government Pleader (HR&CE) would submit that this writ petition came to be filed, when the petitioners were functioning as Chairman and Advisory Committee members and their term period had been expired long back and hence, they have no locus standi to pursue this writ petition. It is further submitted that the order impugned in this writ petition is only a notice for their appearance before the first respondent dated 31.07.2010.

4. Considering the above fact that the term of the Office of the petitioners have already expired and they had not been re-indemnified as the Chairman and Advisory committee Members. If there is any change in the scheme, the first respondent shall issue a fresh notice and pass appropriate orders in accordance with law.

5. With the above observation and direction, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-
Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

ms

To

1.The Commissioner,
Hindu Religious and Charitable endowment
(Admn) Dept.,
Nungambakkam High road,
Chennai - 34.

2.Adheenakarthar,
Sri la Sri Gnanaprakasa Desika Swamigal Mutt,
Big Kancheepuram,
Kancheepuram Taluk & Town,
Chengleput District.

+1 CC to Govt. Pleader sr 56112.
+1 CC to Mr.N.C. Sridhar, Advocate sr 52569.

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SP(05/08/2019)

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