

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.11.2019
CORAM
THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. No. 33183 of 2019
and
W.M.P. Nos.33631 and 33633 of 2019

V. Sampath Kumar,

... Petitioner

-vs-

1. The Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai - 34.
2. The Joint Commissioner,
Tamil Nadu Hindu Religious Charitable
Endowments Department, Vellore.
3. The Executive Officer,
Arulmighu Sri Rajagopalaswamy Temple,
Manimangalam, Sriperumbuthur Taluk,
Kancheepuram District.
Also the Executive Officer, Arulmighu
Subramaniya Swamy Thirukkoil
Vallakottai Village, Sriperumbudur Taluk,
Kancheepuram District - 602 105.
4. The Inspector,
Tamil Nadu Hindu Religious and Charitable
Endowments Department,
Uthramerur, Kancheepuram District,
5. The Village Administrative Officer,
Manimangalam Village,
Sriperumbudur Taluk, Kancheepuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the public auction notice dated nil issued by the Third Respondent proposing to lease out the immovable property of Sri Rajagopalaswamy Temple, Manimangalam, Sriperumbudur Taluk, Kancheepuram District on 29.11.2019 and quash the same as illegal, void and ultravires and direct the Respondents to proceed with the public auction in accordance with the

procedures contemplated under Religious Institution (Lease of Immovable Property) Rules, 1963 and in terms of the order of the First Respondent in Na.Da.Ne.Mu. No. 23315/12/L5 dated 5/7/12.

For Petitioner : Mr. D. Rajagopal
For Respondents : Mr. M. Maharaja
Special Government Pleader for R1 to R4
Mr. R. Venkatesh
Government Advocate for R5.

O R D E R

Heard Mr. D. Rajagopal, Learned Counsel appearing for the Petitioner, Mr. M. Maharaja, Learned Special Government Pleader appearing for the First to Fourth Respondents and Mr. R. Venkatesh, Learned Government Advocate appearing for the Fifth Respondent, and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed challenging the notice for public auction for leasing out the immovable property of Sri Rajagopalswamy Temple, Manimangalam, Sriperumbudur Taluk, Kancheepuram District on 29.11.2019, issued by the Third Respondent and to direct the Respondents to proceed with the public auction in accordance with the procedure under Religious Institution (Lease of Immovable Property) Rules, 1963 and in terms of the order of the First Respondent in Na.Da.Ne.Mu. No. 23315/12/L5 dated 05.07.2012.

3. Learned Special Government Pleader appearing for the First and Fourth Respondents, on instructions, states that the auction notice dated 15.11.2019 would be withdrawn by the Third Respondent and that fresh auction would be conducted in conformity with the rules after issuing notice to the Petitioner and all other concerned parties. The said submission is placed on record. Nothing remains for further consideration in this Writ Petition.

4. Recording the subsequent events, the Writ Petition is disposed. Consequently, the Connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar(Insp cell)

//True Copy//

Sub Assistant Registrar

kv/sni

To

1. The Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowments Department,
Nungambakkam, Chennai - 34.
2. The Joint Commissioner,
Tamil Nadu Hindu Religious Charitable
Endowments Department, Vellore.
3. The Executive Officer,
Arulmighu Sri Rajagopalaswamy Temple,
Manimangalam, Sriperumbuthur Taluk,
Kancheepuram District.
Also the Executive Officer, Arulmighu
Subramaniya Swamy Thirukkoil
Vallakottai Village, Sriperumbudur Taluk,
Kancheepuram District - 602 105.
4. The Inspector,
Tamil Nadu Hindu Religious and Charitable
Endowments Department,
Uthramerur, Kancheepuram District,
5. The Village Administrative Officer,
Manimangalam Village,
Sriperumbudur Taluk, Kancheepuram.

+1cc to M/s.D.Rajagopal Advocate sr99774
+1cc to the Government Pleader sr100107

W.P. No. 33183 of 2019

aa11/02/2020

WEB COPY