

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 30.04.2019****CORAM****THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN****W.P(MD) .Nos.1680 to 1684 of 2019****and****W.M.P. (MD) .Nos.1438 to 1442 of 2019**

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S.Muthusamy .. Petitioner in W.P.(MD) .No.1680 of 2019
I.V.Subramanian .. Petitioner in W.P.(MD) .No.1681 of 2019
S.Mariappan .. Petitioner in W.P.(MD) .No.1682 of 2019
S.Murugesan .. Petitioner in W.P.(MD) .No.1683 of 2019
S.Sankarasubramanian .. Petitioner in W.P.(MD) .No.1684 of 2019

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam High Road, Chennai 34.
- 2.The Deputy Commissioner/Executive Officer,
Arulmighu Sankaranarayanawamy Temple,
Sankarankovil,
Tirunelveli District. .. Respondents in all petitions

COMMON PRAYER: Writ Petitions are filed under Article 226 of Constitution of India for issuance of Writ of Certiorari calling for the records relating to the impugned notices issued by the 2nd respondent in Na.Ka.No.355/2018 A1-20, 355/2018 A1-24, 355/2018 A1-21, 355/2018 A1-22 and 355/2018 A1-23, dated 04.01.2019, quash the same as illegal.

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.M.Karuppasamy,
Government Advocate

COMMON ORDER

The writ petitioners are occupants of shop belonging to the respondent temple. Pursuant to the circular issued by the Commissioner of Hindu Religious and Charitable Endowment Department, dated 14.02.2018, the respondent temple issued the impugned eviction order. The said circular of the Commissioner of Hindu Religious and Charitable Endowment Department has since been set aside by order, dated 08.04.2019 in Civil Appeal Nos.3461 - 3505 of 2019 by the Honourable Supreme Court. Therefore, the order impugned in the writ petition has to be quashed and accordingly the impugned order is quashed.

2.The respondents are at liberty to proceed in the matter in question against the writ petitioners individually strictly in terms of the proceedings set out in the Hindu Religious and Charitable Endowment Act.



3. With this liberty these writ petitions are allowed. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (LA&M)

/ /2020

Sub Assistant Registrar (CS)

TM/SKM

To

1. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam High Road, Chennai 34.

2. The Deputy Commissioner/Executive Officer,
Arulmighu Sankaranarayanawamy Temple,
Sankarankovil, Tirunelveli District.

+1 CC to SPL GP (SR-64900[F] dated 02/05/2019)

+1 CC to Mr. R. J. KARTHICK, Advocate (SR-65145[F] dated 03/05/2019)

W.P (MD) .Nos. 1680 to 1684 of 2019

30.04.2019

VB (03.09.2020) 2P 5C