



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 1849 of 2019 and
W.M.P. (MD) No. 1567 of 2019

WEB COPY

M. Gurusamy,
President Managing Committee,
Arulmigu Bathirakaliamman Temple,
Chinnasuraikaipatti, Rajapalayam,
Residing at 81E, Malaiyadipatti (North),
Malaiyadipatti Railway line,
Rajapalayam, Virudhunagar District.

... Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.

2. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.

3. The Executive Officer/Thakkar,
Arulmigu Vaithiyanathaswamy Thirukovil,
Madavarkulam, Srivilliputhur,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to notice dated 23.01.2019 on the file of the third respondent and quash the same and further directing the respondents to maintain status quo till the disposal of the revision petition filed by the petitioner pending in R.P. No. unnumbered of 2018 dated 28.08.2018 on the file of the first respondent.

For Petitioner : Mr.H.Arumugam,
for Mr.R.Niresh Kumar

For R-1 & R-2 : Mr.M.Karuppasamy,
Government Advocate.

For R-3 : Mr.P.Mahendran

**O R D E R**

Heard the learned counsel on either side.

2. The petitioner is aggrieved by the order dated 26.11.2007 passed by the Assistant Commissioner, Hindu Religious Charitable and Endowments Department, Sivagangai, appointing a fit person for the petitioner temple. Questioning the same, he filed a revision before the first respondent herein. It is stated that the arguments have already concluded and the matter is posted for orders. In the meanwhile, the fit person assumed charge on 22.01.2019. He issued the impugned notice dated 23.01.2019 calling upon the Writ petitioner to hand over the records and other items in respect of the temple.

3. I am of the view that the impugned proceedings are only consequential in nature. The petitioner ought to have obtained an interim order only at the hands of the first respondent. Therefore, the impugned challenge to the consequential proceedings will not lie.

4. The Writ petition stands dismissed, accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

To

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department, Sivagangai.
2. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department, Sivagangai.
3. The Executive Officer/Thakkar,
Arulmigu Vaithiyanathaswamy Thirukovil,
Madavarkulam, Srivilliputhur, Virudhunagar District.

+1 CC to M/s.SPL GP (SR-62090[F] dated 24/04/2019)

+1 CC to M/s.P.MAHENDRAN, Advocate (SR-62305[F] dated 24/04/2019)

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