



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2019

CORAM:

THE HON'BLE Mr. JUSTICE R.SUBBIAH

AND

THE HON'BLE Mr. JUSTICE B.PUGALENDHI

Rev.Aplw (MD)No.13 of 2019

and

W.M.P. (MD)Nos.1741 and 1742 of 2019

in

WP(MD)24709 of 2018

Ramanathapuram Pasumpon

Muthuramalingam Mavatta Pothu Thozhilalar Sangam,

Rep.by its Secretary R.Veeraya

... Petitioner/Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Sivagangai District.

3.M.Venkatesan Chettiar

4.V.Elango

... Respondents/Respondents

PRAYER: The Review application filed under Rule 114 of CPC and Order XLVII Rules 1 and 2 of C.P.C., to review the order passed in W.P.(MD)No.24709 of 2018 dated 10.01.2019 by this Court.

Prayer in WP(MD). 24709 OF 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus, to call for the records of the Impugned notice-4 dated 17.04.2018 addressed by the 3rd respondent to 4th respondent by directing him to remove the petitioners members schedule shops from the premises of Arulmigu Muthumariyamman Thirukovil, Thayamangalam, Ilayankudi Taluk, Sivagangai dist and consequentially permit the petitioners members to Continue their business in their respective place, by considering petitioner's rerpresentation dated 12.12.2018 within a period.



For Petitioner
For Respondents

: Mr.A.Haja Mohideen
: Mr.V.R.Shanmuganathan, Spl.G.P.for
R1 & 2
Mr.T.S.Mohamed Mohideen for R3

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ORDER**(Order of the Court was made by R.SUBBIAH,J.)**

This Review Application has been filed to review the order dated 10.01.2019 passed in W.P.(MD)No.24709 of 2018 by this Court.

2.The relevant portion of the order reads as follows:

"9.A perusal of records would go to show that during the Festival season only, the temporary shop owners were permitted by the Temple authorities to put up shops and on completion of the festival day, it is the bounden duty of the temporary shop owners to vacate the same. Though some of the temporary shop owners have vacated, few temporary shop owners are refusing to vacate the premises and still they are continuing to run business there. It is to be noted that the temporary shop owners have no legal right to continue their shops, after completion of the festival season and hence, we are of the opinion that they are liable to be vacated.

10.In the result, the writ petition in W.P.(MD) No.19355 of 2018 is allowed and the writ petition in W.P.(MD)Nos.24709, 6440 and 7077 of 2018 are dismissed. The official respondents are directed to vacate the temporary shops in and around Thayamangalam Arulmigu Muthumariamman Thirukovil, with the help of Ilayankudi Police, preferably within a period of four weeks from the date of receipt of a copy of this order."

3.Absolutely we find no error apparent on the face of the order to review the same. Hence, this Review application is dismissed at the admission stage itself. Consequently, connected W.M.Ps.are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Sivagangai District,
Sivagangai.



2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Sivagangai District.

+1 cc to Mr.A.Haja Mohideen , Advocate SR.No.44347

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KM/ (08.04.2019) 3P 4C