



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

WEB COPY

W.P (MD)No.25101 of 2019

and

WMP (MD)No.21695 of 2019

A.R.Gnanasambantham

S/o.Ramasamy

Hereditary Trustee

Arulmigu Vadivalagi Amman Thirukovil

Sannidhi Street, Kanyakurichi Village

Pattukottai Taluk,

Thanjavur District.

.. Petitioner

Vs.

1.The Joint Commissioner,

Hindu Religious & Endowments Department,

Thanjavur.

2.The Inspector,

Hindu Religious & Endowments Department,

Orathanadu, Thanjavur District.

3.A.R.Jeyapal

President Hereditary Trustee,

Arulmigu Vadivalagi Amman Thirukovil

Kanyakurichi Village, Pattukottai Taluk,

Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari calling for the records pertaining to the impugned letter communication by the 3rd respondent in proceedings dated 20.11.2019 and quash the same and further direct that the 1st respondent ensure in future that the instructions framed and given to the 3rd respondent under the section 116 of Hindu Religious and Charitable Endowments Act, 1959.

For Petitioner

: Mr.K.K.Samy

For Respondents

: Mr.V.R.Shanmuganathan

Special Government Pleader

ORDER

Mr.V.R.Shanmuganathan, learned Special Government Pleader, takes notice on behalf of the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.



2.By impugned order dated 20.11.2019, the third respondent/President Hereditary Trustee, Arulmigu Vadivalagi Amman Thirukovil, Kanyakurichi Village, has sent a communication to the petitioner stating that Hundial will be opened on 26.11.2019. According to the petitioner, as per the proceedings of the first respondent in Na.Ka.No.4044/2014/A3, dated 02.12.2014, 7 days notice should be given. Since notice with 7 clear working days is not given, it is defective and hence, the petitioner is before this Court.

3.On instructions, the learned Special Government Pleader would submit that in order to give 7 clear working days notice, the respondents have postponed the opening of Hundial to 29.11.2019.

4.The said statement is recorded. Since the petitioner is given 7 clear working days notice, the grievance of the petitioner is rectified and nothing survives in the writ petition for adjudication and it is closed accordingly. No costs. Consequently, WMP(MD)No.21695 of 2019 is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Joint Commissioner,
Hindu Religious & Endowments Department,
Thanjavur.
- 2.The Inspector,
Hindu Religious & Endowments Department,
Orathanadu, Thanjavur District.
- 3.A.R.Jeyapal
President Hereditary Trustee,
Arulmigu Vadivalagi Amman Thirukovil
Kanyakurichi Village
Pattukottai Taluk,
Thanjavur District.

+1 CC to M/s.K.K. SAMY, Advocate (SR-101754[F] dated 27/11/2019)
+1 CC to M/s.Special Govt. Pleader (SR-102355[F] dated 28/11/2019)

W.P. (MD)No.25101 of 2019
26.11.2019

mj

<https://hcds.ecourts.gov.in/CaseDetails/2P/6C>