

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.758 of 2020
and C.M.P.No.10044 of 2020

S.Manohar Chettiar ... Appellant

-vs-

- 1.The Principal Secretary,
Hindu Religious & Charitable Endowment
Dept., St. George Fort, Secretariat,
Chennai-9.
- 2.The Commissioner,
Hindu Religious & Charitable Endowment
Dept., Chennai-34.
- 3.The Joint Commissioner,
Hindu Religious & Charitable Endowment
Dept., Chennai-34.
- 4.The Fit Person/Executive Officer,
Arulmigu Sidhi Buddhi Vinayakar & Sundareswarar
Temple, Royapettah, Chennai
(Suo Motu impleaded in place of R4)

5.Dr.K.J.Renuka

6.A.R.Thulasiram Chettiar

... Respondents

Appeal filed under Clause 15 of the Letters Patent against the order dated 12.08.2020 passed in W.P.No.9087 of 2020 on the file of this Court.

Prayer in W.P.No.9087 of 2020:

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the order of the 3rd Respondent in Se.Mu.Ka.No. 2658/ 2020 -1/ E3 dated 02.07.2020 and quash the same.

For Appellant : Mr.P.Satheesh Kumar

For Respondents : Mr.A.K.Sriram,
for R-4

: Mr.Vineet Subramaniam
for RR 5 and 6

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

We have heard learned counsel for the appellant at length and we are satisfied that there is hardly any scope of interference except for the fact that the challenge raised appears to be limited in respect of the imposition of the condition of remittance of Rs.10 lakhs as an advance towards stated arrears of annual contribution and audit fee, which is yet to be computed, for which orders have to be passed in the impugned judgment itself. Learned counsel submits that this onerous condition of deposit of Rs.10 lakhs is not justified in the background of the case, more so, when the matter is yet to be disposed of in terms of the judgment itself.

2.We have also heard Mr.A.K.Sriram, learned counsel for the Executive Officer / 3rd respondent and Mr.Vineet Subramani, learned counsel for the fifth and sixth respondents.

3.The aforesaid submission need not detain this Court as the learned counsel for the appellant has accepted the proposal of the Court to deposit a sum of Rs.3 lakhs instead of Rs.10 lakhs as directed by the learned single Judge.

4.Accordingly, the Writ Appeal is disposed of affirming the order of the learned single Judge subject to the modification that the direction of deposit of Rs.10 lakhs as contained in paragraph 58 (iv) shall stand reduced to Rs.3,00,000/- (Rupees three lakhs only), which shall be deposited within four weeks from today. No costs. Consequently, C.M.P.No.10044 of 2020 is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Secretary,
Hindu Religious & Charitable Endowment
Dept., St. George Fort, Secretariat,
Chennai-9.
- 2.The Commissioner,
Hindu Religious & Charitable Endowment
Dept., Chennai-34.
- 3.The Joint Commissioner,
Hindu Religious & Charitable Endowment
Dept., Chennai-34.

W.A.No.758 of 2020

mp[col]
srg 29/09/2020



WEB COPY