



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:23.01.2020

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.1283 of 2020

and

W.M.P. (MD) Nos.1032 & 1034 of 2020

1) Kannan

2) Ponnusamy

... Petitioners

Vs.

Arulmighu Rathnagiriswarar Temple,
Rep. by its Executive Officer,
Ayyarmalai, Sivayam,
Kulithalai Taluk, Karur District.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records comprised in impugned order dated 06.01.2020 issued by the respondent and quash the same as arbitrary, illegal and ultra vires the Hindu Religious and Charitable Endowments Act, 1959.

For Petitioners : Mr.K.Prabhakar

For Respondent : Mr.Aaathimoola Pandian,
Standing Counsel

O R D E R

The Writ Petition is filed challenging the impugned notice, dated 06.01.2020, issued by the respondent calling upon the petitioners to vacate the premises, as they are in illegal occupation of the same, failing which, proceedings under Sections 78 and 79 of Hindu Religious and Charitable Endowments Act, 1959 would be initiated against them.

2. Admittedly, the impugned notice dated 06.01.2020 is issued by the Executive Officer of the respondent Temple. If the petitioners are aggrieved over the same, it is open to them to give a reply to the said impugned notice. Instead, they have rushed to this Court by way of filing the present writ petition.



3. Without getting into the merits of the case, this Court is permitting the petitioners to give their reply to the impugned notice dated 06.01.2020 within a period of two weeks from the date of receipt of a copy of this order and it is open to the Authorities to take action thereafter on merits after considering the same.

4. With these directions, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

The Executive Officer,
Arulmighu Rathnagiriswarar Temple,
Ayyarmalai, Sivayam,
Kulithalai Taluk,
Karur District.

+1 CC to M/s.K,.PRABHAKAR, Advocate (SR-2972[F] dated
24/01/2020)

Order made in
W.P(MD)No.1283 of 2020

Dated:
23.01.2020

na (CO)

TR(11.02.2020)2P 3C