



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2020

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THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.9332 of 2013

and

M.P. (MD) Nos.2 & 3 of 2013

1.Vandiyoor Sri Nachiyarammal Vagaira Religious Endowment,
represented by its Managing Trustee M.Thiruppathi
S/o.Junior Muthusami Pillai,
Vandiyoor,
Madurai North Taluk, Madurai District.

2.M.Thiruppathi ...Petitioners

Vs

1.The Special Commissioner & Commissioner,
H.R.& C.E. Department,
Nungambakkam High Road,
Chennai 600 034.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Madurai 625 002.

3.Ananthan

4.Pithchai Ammal

5.Alagu Sundaram ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to quash the order of the 2nd respondent in The.Mu.Na.Ka.No.9290/07/Aa1 dated 15.02.2010 and to quash all the consequential proceedings of the respondents 1 and 2 and to forbear the respondents 1 and 2, their other officials, men and agents from interfering with the rights of the 2nd petitioner as the hereditary trustee and as managing trustee of the 1st petitioner trust.



For Petitioner : Mr.S.Ramesh
For R1 & R2 : Mr.M.Pandiarajan
Additional Government Pleader
For R3 & R5 : No appearance
For R4 : Mr.M.Saravanan

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ORDER

Challenging the order passed by the 2nd respondent in The.Mu.Na.Ka.No.9290/07/Aa1 dated 15.02.2010, the present writ petition has been filed.

2.When the matter is taken up for hearing today, the learned counsel appearing for the 4th respondent would submit that challenging the very same impugned order dated 15.02.2010, a writ petition in W.P.(MD) No.4292 of 2010 has been filed before this Court and this Court, by an order dated 01.02.2017, has disposed the said writ petition by directing the petitioner therein and all other interested parties of other branches to appear before the Joint Commissioner, Tirunelveli to raise all the contentions before him in the pending proceedings relating to the administration of the right of the management of the Natcharammal Trust. Subsequently, the aforesaid order was confirmed in W.A.(MD) No.607 of 2017 by the Division Bench of this Court.

3.Pursuant to the orders passed in W.A.(MD) No.607 of 2017, the interested parties including the petitioner herein had appeared before the Joint Commissioner, Tirunelveli for enquiry. After conducting enquiry, the Joint Commissioner, Tirunelveli, has passed final orders on 29.01.2019.

4.In the light of the above, the learned counsel appearing for the 4th respondent would submit that the present writ petition is liable to be dismissed as infructuous as the petitioner herein has already been participated in the above proceedings.

5.In view of the submission made by the learned counsel appearing for the 4th respondent, nothing survives for further adjudication in the present writ petition and accordingly, the same is dismissed as infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Special Commissioner & Commissioner,
H.R.& C.E. Department,
Nungambakkam High Road,
Chennai 600 034.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Madurai 625 002.

+1 CC to M/s.R. SUBRAMANIAN, Advocate (SR-16426[F] dated
10/09/2020)

+1 CC to M/s.GP (SR-16501[F] dated 10/09/2020)

W.P. (MD) No.9332 of 2013
09.09.2020

TR(16.09.2020) 3P 5C