



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.4477 of 2020

and

W.M.P(MD) .No.3801 of 2020

M.Rajalakshmi

.. Petitioner

Vs.

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

.. Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records of the impugned letter dated 06.01.2020 issued by the respondent herein and quash the same as being arbitrary, illegal and ultra vires to the Hindu Religious and Charitable Endowments Act, 1959.

For Petitioner : Mr.V.Meenakshisundaram
for Mr.R.Murugan

For Respondent : Mr.P.Athimoolapandian
Standing Counsel

ORDER

The petitioner is aggrieved by notice dated 06.01.2020 issued by the respondent, namely, the Executive Officer of the Arulmighu Rathnagiriswarar Temple, Kulithalai Taluk, Karur District. By the said notice, the respondent directed the petitioner herein to vacate on or before 15.01.2020 which date has long expired. Notice is dated 06.01.2020. My attention drawn to a similar order in W.P(MD). No.1283 of 2020 in the case of **Kannan and another Vs., Arulmighu Rathnagiriswarar Temple**, wherein a learned Single Judge by order dated 23.01.2020, had disposed the writ petition and granted liberty to the writ petitioner therein to give a reply.



2. Similarly, the petitioner herein is also granted liberty, if he so desires, to give reply to the show cause notice on or before 17.03.2020. It is also pointed out by the learned Standing Counsel for the respondent that the notice is under Sections 78 and 79 of the Hindu Religious and Charitable Endowments Act, 1959, which statement disputed by the learned counsel for the petitioner. If there is an appeal remedy, the petitioner may take recourse to such remedy.

3. Liberty is granted to the petitioner to give reply to the show cause notice on or before 17.03.2020. The respondent may proceed further in accordance with law after hearing both sides.

4. With the above observations, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

To

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

+1 CC to M/s.R.MURUGAN, Advocate (SR-9899[F] dated 03/03/2020)

W.P (MD) No. 4477 of 2020

03.03.2020

rmk

SDS (04.03.2020) 2P-3C