



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD)No.5133 of 2020

and

W.M.P.(MD) .No.4479 of 2020

C.Jeyachandran

... Petitioner

Vs.

The Executive Officer,
Arulmigu Viswanathaswamy Thirukoil,
Sivakasi,
Virudhuangar 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 relating to the order issued by the respondent to the impugned notice dated 03.03.2020 and quash the same.

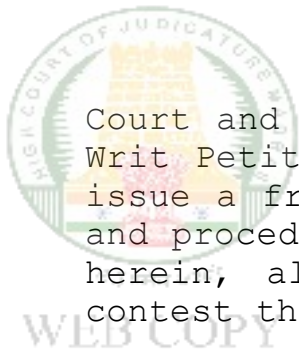
For Petitioner	:	Mrs.D.Farjana Ghoushia for M/S.A.Arumugam
For Respondent	:	Mr.P.Mahendran Standing Counsel

O R D E R

The petitioner is aggrieved by the communication dated 03.03.2020, issued by the respondent viz., the Executive Officer, Arulmigu Viswanathaswamy Temple, Sivakasi, Virudhuangar District.

2. The learned counsel appearing for the petitioner argued that a show cause notice should be issued only according to the provision of the Hindu Religious and Charitable Endowment Act.

3. It is seen that there is no reference to any provision of Act in the show cause notice. The Executive Officer, Tirunelveli, who issued the show cause notice, is also present in



Court and the show cause notice, which is impugned in the present Writ Petition is set aside and the respondent is given liberty to issue a fresh show cause notice in accordance with the rules, law and procedure. If such show cause notice is issued, the petitioner herein, also be given an opportunity to reply to the same and contest the reasons given in the same.

4. With these observations, the Writ Petition is allowed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

1. The Executive Officer,
Arulmigu Viswanathaswamy Temple,
Sivakasi,
Virudhuangar District.

+1 CC to M/s.K.MUTHUMALAI, Advocate(SR-11375[F] dated 12/03/2020)

+1 CC to M/s.P.MAHENDRAN, Advocate(SR-10980[F] dated 11/03/2020)

Order made in
W.P.(MD)No.5133 of 2020 and
W.M.P.(MD).No.4479 of 2020
11.03.2020

SRS/ 05.05.2020/ 2P/4C