



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD)No.8122 of 2020

and

W.M.P (MD)No.7543 of 2020

Thiyagarajan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
119, Uthamar Gandhi Road,
Nungambakkam,
Chennai - 34.

2.The District Collector,
Collectorate Campus,
Karur,
Karur District.

3.The District Revenue Officer,
Collectorate Campus,
Karur,
Karur District.

4.The Sub Collector,
Sub Collector Office,
Kulithalai,
Karur District.

5.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Neelagirishwarar Thoppu,
Thiruvanaikovil,
Trichy.

6.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Near Nirmala Hospital,
Saamynathapuram,
Karur District.

7.The Tahsildar,
Taluk Office,
Kulithalai,
Karur District.



8.The Executive Officer,
Kadambavaneshwarar Thirukovil,
Kulithalai,
Karur District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents not to acquire the temple land in S.No.712/1 (Part-713/2, 713/3, in 4 acres and 75 cents) of Arulmigu Kadambavaneshwarar Thirukovil, situated at Kulithalai Town and Taluk, Karur District, for constructing Bus Stand.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.VR.Shanmuganathan
Special Government Pleader for R.1 to R.7

Mr.P.Athimoolapandian
Standing Counsel for R.8

ORDER

(Order of the Court was made by **M. SATHYANARAYANAN, J.**)

This writ petition is styled as a Public Interest Litigation and the petitioner is a devotee of Arulmigu Kadambavaneshwarar Thirukovil, situated at Kulithalai Town and Taluk, Karur District and came forward to file this writ petition, for dropping of proceedings relating to alienation of the lands belonging to the said temple.

2. Heard the submissions of the learned Counsel for the petitioner and perused the materials placed on record.

3. The first respondent, vide proceedings in V.No.1/2020/R.3, dated 01.06.2020, had issued a publication in the news dailies calling for objection as to the alienation of 4.76 acres belonging to the said temple for public purpose, namely, to put up a Bus Stand and still it is in the stage of considering the objections with regard to the said proposal.

4. Mr.VR.Shanmuganathan, learned Special Government Pleader accepts notice on behalf of the respondents 1 to 7 and would submit that with regard to the very same issue, the Principal Seat of this Court has entertained a writ petition in W.P.No.8961 of 2020 and permitted the further acts pursuant to the above proceedings of the first respondent and however, made it clear that no final decision should be taken.



5. Learned Counsel for the eighth respondent has also brought to the notice of this Court that a writ petition in W.P(MD)No.7601 of 2020 was filed before the Single Bench of this Court and the said writ petition was also directed to be tagged along with W.P.No.8961 of 2020.

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6. Since the matter in issue is already seized by the Principal Seat of this Court in W.P.No.8961 of 2020, no purpose would be achieved by keeping this writ petition pending and therefore, this writ petition is closed. However, if the petitioner is still aggrieved, he is at liberty to intervene in W.P.No.8961 of 2020 pending on the file of the Principal Seat of this Court. No costs. Consequently, the connected writ miscellaneous petition is also closed.

Sd/-

Deputy Registrar (Accounts)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

RSB

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

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