



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 25.08.2020
CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 13023 of 2017

and

W.M.P. (MD) Nos. 10089 and 10361 of 2017

WEB COPY

S.Palanisamy Pandaram

... Petitioner

Vs.

1. The Joint Commissioner / Executive Officer,
(HR & CE Department),
Palani Arulmigu Dhandhayuthapani Thirukovil,
Dindigul District.

2. Pandiyarajan

3. Balaguru

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the first respondent in his proceedings in Na.Ka.No.6096/2017/A6 dated 06.06.2017 and quash the same and consequently direct the first respondent not to interfere with petitioner's sangam to get the benefit of the thirumanjana charges and abishega charges from the Arulmigu Dhadhayuthapani Thirukovil, Palani.

For Petitioner : Mr.G.Gomathi Sankar
For R1 : Mr.K.Govindarajan
Special Government Pleader
For R2 and R3 : Mr.M.Kannan

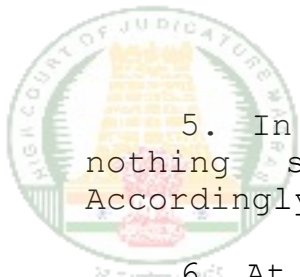
O R D E R

Heard the learned counsel appearing on either side.

2. By order dated 06.06.2017, the first respondent appointed Mr.Pandiarajan and Mr.Balaguru, the second and third respondents herein as Pandarams for discharging certain ritual functions. The said order has been challenged by the petitioner herein.

3. When the matter was taken up for final disposal, the learned counsel for the second and third respondents sought time to file their counter.

4. In the meanwhile, the learned Special Government Pleader appearing for the first respondent Temple, on instructions, would submit that they are proposing to withdraw the order, dated 06.06.2017, and after conducting enquiry, issue fresh orders.



5. In view of the said stand taken by the first respondent, nothing survives for further adjudication in this matter. Accordingly, this writ petition is closed.

6. At this stage, the learned counsel for the second and third respondents would submit that the proposed withdrawal itself is not in good faith.

7. Be that as it may, I direct the first respondent to serve copies of the order recalling the impugned order, dated 06.06.2017. It will be open to the second and third respondents to question the said recall order. I make it clear that I have not gone into the merits of the matter. If the second and third respondents challenge the said recall order, they will have to necessarily make the writ petitioner as a party. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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

The Joint Commissioner / Executive Officer,
(HR & CE Department),
Palani Arulmigu Dhandhayuthapani Thirukovil,
Dindigul District.

+1CC to Mr.K.GOVINDARAJAN, Advocate (SR-15051[F] dated 27/08/2020)
+1CC to Mr.M.KANNAN, Advocate (SR-15195[F] dated 28/08/2020)

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CS(10.09.2020) 2P 4C