

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2021

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.Nos.43160, 43161 and 43162 of 2016
&
WMP.Nos.36992, 36993 and 36994 of 2016

S.Sivakumar,
S/o.Sathyan. ... Petitioner in W.P.No.43160 of 2016

Thamilarasu,
S/o. Thangavel. ... Petitioner in W.P.No.43161 of 2016

P.Pavunraj,
S/o.Poongavanam. ... Petitioner in W.P.No.43162 of 2016

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Salem.
3. The Executive Officer,
Arulmigu Sakthi Vinayagar Thirukoil,
Santhapettai, Kaveripatinam,
Krishnagiri Taluk & District. ... Respondents in all W.Ps

Common Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the 3rd respondent herein dated 02.12.2016 in respect of shop Nos.2, 3 and 1 respectively in Arulmigu Sakthi Vinayagar Thirukoil, Kaveripatinam, Krishnagiri Taluk and District, and quash the same and forbear the respondents herein from in any manner evicting the petitioner from the said shop.

For Petitioner in all W.Ps : Mr.Prasanth
for M/s.AL.Gandhimathi

For Respondents in all W.Ps : Mr.NRR.Arun Natarajan
Government Advocate

COMMON ORDER

Mr.Prasanth, learned counsel representing counsel on record for the writ petitioner and Mr.NRR.Arun Natarajan, learned State counsel for all the three respondents in all the three captioned writ petitions are before this Court.

2. Both sides submit that captioned matters fall in the same basket as writ petition being W.P.No.43124 of 2016 which was disposed of by this Court on 29.10.2021 and therefore, captioned matters can be disposed of by making same/similar order.

3. To be noted, 29.10.2021 order in W.P.No.43124 of 2016 reads as follows:

'Ms.AL. Ganthimathi, learned counsel for writ petitioner and Mr.NRR.Arun Natarajan, learned State Counsel for the three respondents are before this Court.

2. Adverting to the impugned proceedings, which turns on Section 77 of 'the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Act 22 of 1959)' (hereinafter 'TN HR & CE Act' for the sake of convenience and clarity), learned counsel submits that the writ petitioner's shop has since been removed. There is no disputation or disagreement on this present obtaining position.

3. Recording the aforementioned stated position i.e., obtaining position, captioned writ petition is disposed of as closed. Consequently connected Writ Miscellaneous Petition is also closed. There shall be no order as to costs.'

4. Therefore, captioned Writ Petitions are disposed of as closed. Consequently, writ miscellaneous petitions are also disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

nst/nsa

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Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai 600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Salem.

3. The Executive Officer,
Arulmigu Sakthi Vinayagar Thirukoil,
Santhapettai, Kaveripatinam,
Krishnagiri Taluk & District.

+1cc to M/s.A.L.Gandhimathi, Advocate, S.R.No.57063

W.P.Nos.43160, 43161 and 43162 of 2016
&
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KSM(CO)
SB(23/11/2021)