



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 17.09.2021

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.NO.30583 OF 2017

&

W.M.P.NOS.33494 TO 33496 OF 2017

Shri.Abirami Amirthakadeshwarar
Hindu Cultural Association (Regd.No.397/2002)
Rep. by its President D.Gajendran
Regd. Office at 1st Cross Street
Kumaran Nagar
Chennai - 82

... Petitioner

Vs.

1. The Secretary to Government
Municipal Administration and Water Supply
Secretariat
Fort St. George
Chennai - 9
2. The Secretary to Government
Department of Hindu Religious and Charitable Endowments
Secretariat
Fort St. George
Chennai - 9
3. The Commissioner
Corporation of Chennai
Chennai- 3
4. The Zonal Officer
Corporation of Chennai
Zone - 6
Ayanavaram
Chennai - 23
5. The Inspector of Police
V6, Kolathur Police Station
Kolathur
Chennai - 82

... Respondents



Writ petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the entire records relating to the impugned Temple demolition caution Notice dated 17.11.2017 passed by the 4th respondent herein and quash the same and directing the respondents 1 to 4 herein to permit the petitioner Association to conduct the temple viz., 'Arulmigu Shri Abirami Amman Samedha Amirthakadeshwarar Aalayam' situate at 1st Cross Street, Kumaran Nagar, Chennai - 82 as usual in a peaceful manner as submitted in the representation of the petitioner Association dated 18.11.2017.

For Petitioner : No appearance

For Respondents : Mr.NRR.Arun Natarajan
Government for R1 to R5

ORDER

Read this in conjunction with and in continuation of earlier proceedings made in the previous listings dated 08.09.2021, 15.09.2021 and 16.09.2021, which read as follows:

'Proceedings made on 08.09.2021

There is no representation for writ petitioner. However, Mr.NRR.Arun Natarajan, learned State counsel is before this Court on behalf of Respondents 1 and 2 and he represents the counsel from the Public Prosecutor's Office for the 5th respondent. There is no representation for Respondents 3 and 4 also.

2. With the intention of giving opportunity to the writ petitioner, writ petitioner's counsel as well as Respondents 3 and 4 and Standing counsel for Respondents 3 and 4, list this matter tomorrow i.e., 09.09.2021.'

'Proceedings made on 15.09.2021

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 08.09.2021.

2. This Court is informed that this matter was listed on 09.09.2021, but there was no sitting. It is listed today. The position is no different today. In other words, there is no representation for writ petitioner, but State counsel is before this Court. However, with the intention of giving opportunity to the writ petitioner and writ petitioner's counsel as well as Respondents 3 and 4 and Standing Counsel for



Respondents 3 and 4, list this matter again tomorrow.
List on 16.09.2021.'

'Proceedings made on 16.09.2021

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing on 15.09.2021, which reads as follows:

'Read this in conjunction with and in continuation of earlier proceedings, made in the previous listing on 08.09.2021.

2. This Court is informed that this matter was listed on 09.09.2021, but there was no sitting. It is listed today. The position is no different today. In other words, there is no representation for writ petitioner, but State counsel is before this Court. However, with the intention of giving opportunity to the writ petitioner and writ petitioner's counsel as well as Respondents 3 and 4 and Standing Counsel for Respondents 3 and 4, list this matter again tomorrow.

List on 16.09.2021.'

2. List under the caption 'FOR DISMISSAL' tomorrow i.e., 17.09.2021.'

2. The position is no different today. This means that the writ petitioner has not chosen to come before this Court for three consecutive listings. The inference is, the writ petitioner is not interested in pursuing the captioned writ petition.

Captioned writ petition and WMPs are dismissed for default/non-prosecution. There shall be no order as to costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

gpa



To

1. The Secretary to Government
Municipal Administration and Water Supply
Secretariat
Fort St. George
Chennai - 9
2. The Secretary to Government
Department of Hindu Religious and Charitable Endowments
Secretariat
Fort St. George
Chennai - 9
3. The Commissioner
Corporation of Chennai
Chennai- 3
4. The Zonal Officer
Corporation of Chennai
Zone - 6
Ayanavaram
Chennai - 23
5. The Inspector of Police
V6, Kolathur Police Station
Kolathur
Chennai - 82

W.P.No.30583 of 2017&
W.M.P.No.18986 of 2021

SR II (CO)
PM/07/10/2021