



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.NO.990 OF 2017

AND

WMP.NO.967 OF 2017

P.S.Easwaran

...Petitioner

Vs.

1.The Commissioner,
HR&CE Department,
119, Gandhi Road, Tirumurthy Nagar,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner,
HR&CE Department,
Madurai - 600 001.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to Writ of certiorarified mandamus to call for the records relating to the order of the Appeal No.9/2015 D2 dated 10.08.2015 issued by the 1st Respondent and quash the same, subsequently direct the respondents to give breathing time to rectify the issues in the Arultharum Arulmigu Shri Ayyappan Temple is Situated at Alagar Kovil Main Road, EMG Nagar, Madurai North, Madurai District.

For Petitioner : No Appearance

For Respondents : Mr.NRR.Arun Natarajan
Government Advocate

O R D E R

There is no representation by or on behalf of the petitioner. In fact, no notice has been issued to the respondents as there was no representation for the petitioner when the matter was listed on 12.01.2017. However, since Mr.NRR Arun Natarajan, learned Government Advocate has sought instructions in the matter, he is heard.

2.It is seen that even on previous occasions, there has been no representation for the petitioner. However, since the



matter has not been listed for dismissal, the writ petition is disposed on merits.

3. The writ petition relates to the management of the Arultharum Arulmigu Shri Ayyappan Temple at Alagar Kovil Road, EMG Nagar, Madurai North. The subject matter of challenge is to an order passed by the Commissioner in Appeal No.9 of 2015 wherein, the petitioner challenges an order passed by the Joint Commissioner, Madurai, appointing a fit person under Section 53(4) of the Act.

4. Since no counter has been filed, Mr. Arun would orally defend the impugned order. Interestingly the petitioner only seeks a mandamus directing the respondents to grant some time to correct the irregularities in the management of the temple. The existence of irregularities is thus admitted. The impugned order has considered all the rival contentions that have been advanced and there is, in my view, no warrant or justification to interfere with the same.

5.This writ petition is thus dismissed. Connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar (CS-IX)

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Sub Assistant Registrar

VS

To

1. The Commissioner,
HR&CE Department,
119, Gandhi Road, Tirumurthy Nagar,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner,
HR&CE Department,
Madurai - 600 001.

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NMI (CO)
RVM (24/09/2021)