



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2021

CORAM

THE HON'BLE MR. JUSTICE M.SUNDAR

W.P(MD)No.16188 of 2015

and M.P. (MD)No.1 of 2015,

W.M.P. (MD)Nos.261 and 5280 of 2016

Ramiya, Puliyadi, Thimma, Eswari, Kutti
Vagayara Dharma Trust,
Represented by its Honourary Secretary,
Sri P.S.Subramanian, Son of Sundararamier,
No.24-A, Mahar 2nd Street, Madurai - 625 001.

... Petitioner

Vs.

The Deputy Commissioner/Executive Officer,
Arulmigu Kallalagar Thirukkoil, Alagarkoil,
Melur Taluk, Madurai District.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondent in his Na.Ka.No.2345/2010/A2 dated 25.04.2015 passed by the respondent without jurisdiction and holding due enquiry, quash the proceedings and direct the respondent allowing the petitioner to conduct every year Chithra Festival Mandagappadi paying due Fees.

For Petitioner	:	No Representation
For Respondent	:	Mr.K.R.Laxman Mr.J.Anandkumar (for impleading Petition)

O R D E R

Read this in conjunction with and in continuation of earlier proceedings made in the previous listings on 16.11.2021, 17.11.2021, 18.11.2021 and 19.11.2021, which read as follows:

'16.11.2021:

There is no representation for the writ petitioner in the captioned main writ petition. However, Mr.J.Anandkumar, learned Counsel for the petitioner in the impleading petition [W.M.P.(MD)No.5280 of 2016] is before this Court.

2. *Between now and the next hearing, this Court shall be informed whether the State Counsel would be representing the sole respondent or Mr.S.Manohar, who has joined this virtual hearing will file vakalat.*

3. *However, with the intention of giving opportunity to the writ petitioner, Registry to list*



this matter again tomorrow.

4. List on 17.11.2021.

17.11.2021:

Read this in conjunction with and in continuation of the previous listing on 16.11.2021.

2. Adverting to paragraph No.2 of the proceedings made in the previous listing, this Court is informed today that Mr.K.R.Laxman, accepts notice on behalf of the lone respondent [ie.,Executive Officer of the temple in the cadre of Deputy Commissioner]. Mr.J.Anandkumar, learned Counsel for the petitioner in the impleading petition [W.M.P.(MD)No.5280 of 2016] is also before this Court.

3. Today also, there is no representation for the writ petitioner.

4. With the intention of giving opportunity to the writ petitioner and the writ petitioner's Counsel, list tomorrow.

5. List on 18.11.2021.

18.11.2021:

Read this in conjunction with and in continuation of earlier proceedings made in the previous listings on 16.11.2021 and 17.11.2021. The position is no different today. In other words, there is no representation for the writ petitioner today also. Therefore, with the intention of giving further opportunity to the writ petitioner and writ petitioner's counsel, Registry to list this matter tomorrow.

List on 19.11.2021.

19.11.2021:

Read this in conjunction with and in continuation of the earlier proceedings made in three previous listings on 16.11.2021, 17.11.2021 & 18.11.2021.

2.The position is no different today. In other words, there is no representation for the writ petitioner but Mr.K.R.Laxman, learned private Counsel for the lone respondent [ie.,Executive Officer of the temple in the cadre of Deputy Commissioner] is before this Court. Mr.J.Anandkumar, learned Counsel who has taken out an implead petition ie., W.M.P.(MD)No.5280 of 2016 is also before this Court.

3.In the light of the narrative thus far, Registry to list the captioned main writ petition along with all connected miscellaneous petitions under cause list caption 'FOR DISMISSAL' on Monday.

<https://hcservices.ecourts.gov.in/Hcservices> on 22.11.2021.'



2.Pursuant to the previous proceedings made on 19.11.2021 captioned matter is listed under the cause list caption 'FOR DISMISSAL' today. Notwithstanding the captioned matter being listed under the cause list caption 'FOR DISMISSAL', the position is no different today. In other words, there is no representation for the writ petitioner but Mr.K.R.Laxman, learned private counsel for the lone respondent i.e., Executive Officer of the temple in the cadre of Deputy Commissioner is before me. Mr.J.Anandkumar, learned counsel who has taken out an implead petition i.e., W.M.P.(MD)No.5280 of 2016 is also before me.

3.In the light of the aforesaid trajectory, captioned main writ petition and captioned two writ miscellaneous petitions i.e., M.P.(MD)No.1 of 2015 and W.M.P.(MD)No.261 of 2016 are dismissed for default/non-prosecution. Captioned W.M.P.(MD)No.5280 of 2016 (implead petition) is disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

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 Deputy Commissioner/Executive Officer,
Arulmigu Kallalagar Thirukkoil, Alagarkoil,
Melur Taluk, Madurai District.

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-35536[F] dated 23/11/2021)

W.P(MD)No.16188 of 2015

22.11.2021

RS (04.12.2021) 3P 3C