



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

CORAM

THE HON'BLE MR. JUSTICE M.SUNDAR

W.P(MD)Nos. 9216 of 2015 and 3556 of 2017

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

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W.P(MD)Nos. 9216 of 2015

G. Murugesan

... Petitioner

Vs.

1. The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Board,
Madurai.

2. The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Board,
Madurai.

3. The Inspector,
Madurai South,
Hindu Religious and Charitable Endowment,
Madurai.

4.M.V. Radha Krishnnan ... Respondents
(R4 is impleaded vide Court order dated 27/07/2017)

W.P(MD)No 3556 of 2017

1. M. Vadivel Pillai

2. M. V. Radhakrishnan Pillai

... Petitioners

Vs.

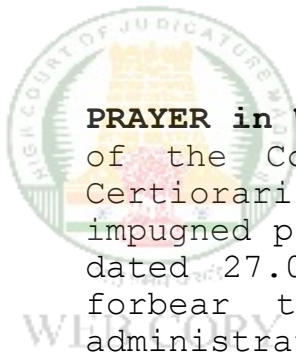
1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai - 34.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai - 625 001.

3. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai - 625 001.

4. G. Murugesan

... Respondents



PRAYER in W.P(MD)No. 9216 of 2015 : Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the first respondent in Na.Ka.No.949/2009/E3 dated 27.05.2015 and quash the same as illegal and consequently forbear the respondents from in anyway interfering with the administration of the petitioner's temple viz Thaliyari Gurunathan Temple, Madurai, and pass orders.

PRAYER in W.P(MD)No. 3556 of 2017 : Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the third respondent to appoint fit person to Arulmigu Thalayari Gurunathasamy Temple, situated at West Masi Street, Madurai Town to safeguard the Manibam lands endowed to the temple and the immovable properties of the temple from further alienation by considering the representation of the petitioners dated 03.05.2016 within the period may be stipulated by this court and pass orders.

W.P(MD)Nos. 9216 of 2015

For Petitioner : Mr. Mahaboob Athiff
for Mr. Ajmal Khan,
Senior counsel for
AjmalAssociates

For Respondents : Mr. A. Baskaran
Assistant Government Pleader
for R1 to R3
Dr. C. Guhaseelarupan
for R4

W.P(MD)No. 3556 of 2017

For Petitioners : Dr. C. Guhaseelarupan
For Respondents : Mr. A. Baskaran
Assistant Government Pleader
for R1 to R3
Mr. Mahaboob Athiff
for Ajmal Associates
for R4

COM M O N O R D E R

This common order will govern the captioned two main writ petitions and the captioned miscellaneous petition therein.

2. W.P.(MD) No. 9216 of 2015 shall be referred to as Senior WP petition and W.P.(MD) No. 3556 of 2017 shall be referred to as Junior WP petition, for the sake of convenience and clarity.

3. Mr. M. Mahaboob Atiff, learned counsel for the writ petitioner in senior wp and 4th respondent in junior wp, Mr. C.

Arulmigu

9. In light of the narrative thus far and the trajectory the matters have taken, captioned writ petitions are disposed of as closed. Though obvious, it is made clear that I have not expressed any opinion or view on the merits of the matter in this order as all questions are left open (including rival contentions) to be thrashed out legally in the aforementioned third writ petition i.e., W.P.(MD) No.18 of 2018 in the ensuing week. Consequently captioned writ



miscellaneous petition is also disposed of as closed. There shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar(CS)

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

1. The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai - 34.
2. The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable
Endowment Board,
Madurai.
3. The Joint Commissioner,
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Endowment Board,
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4. The Inspector,
Madurai South,
Hindu Religious and Charitable Endowment,
Madurai.

+1CC to SPL.GP.(SR.No.37595)

W.P(MD)Nos. 9216 of 2015 and 3556 of 2017
and W.M.P. (MD)No.1 of 2015
06.12.2021

MGJ(31.12.2021) 4P 6C