



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.[MD]No.11636 of 2016

and

W.M.P.[MD]Nos.8912 & 8913 of 2016

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S.Ayyappan

... Petitioner

Vs.

1.The Secretary to State Government,
Tamil Nadu Hindu Religious &
Charitable Endowment Department,
Secretariate,
Chennai.

2.The Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowment Board,
Nungambakkam,
Chennai.

3.The Joint Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowment Board,
Tirunelveli.

4.Arulmigu Subramaniya Swamy Thirukovil
Kottai Mahamai Uchikala Vellithambala
Kattalai Trust,
Rep. by its,
Executive Officer / Joint Commissioner
of Arulmigu Subramniya Swamy Thirukovil
Tiruchendur,
Having Office at
Vadiveeswaram,
Nagercoil.

5.The Assistant Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowment Board,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the impugned proceedings of the fourth



respondent nil proceedings dated 27.06.2016 and quash the same and further direct the first respondent herein to take up the Revision Petition under Section 114 of Tamil Nadu Hindu Religious Charitable Endowment Act filed by the petitioner and dispose the same within a time stipulated by this Court.

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For Petitioner : Mr.S.Vasiq Ali
for Mr.D.Nallathambi
For Respondents : Mr.A.Baskaran
1 to 3 & 5 Additional Government Pleader
For Respondent No.4 : Mr.M.Muthugeethaiyan

O R D E R

Mr.S.Vasiq Ali, learned Counsel representing learned Counsel on record Mr.D.Nallathambi, on behalf of lone writ petitioner, Mr.A.Baskaran, learned Additional Government Pleader on behalf of respondents 1 to 3 & 5 and Mr.Muthugeethaiyan, learned private Counsel on behalf of the fourth respondent (Executive Officer of temple concerned) are before this Court.

2.Learned Counsel representing the Counsel on record for writ petitioner submits that the captioned matter pertains to a notice issued under Section 78 of 'the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 (Tamil Nadu Act 22 of 1959)' {hereinafter 'TN HR & CE Act' for brevity} and nothing survives in the captioned writ petition as possession has since been handed over on 30.06.2019.

3.Recording the stated position of the writ petitioner, captioned writ petition is disposed of as closed. Consequently, captioned Writ Miscellaneous Petitions are also disposed of as closed. There will be no order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

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 Secretary to State Government,
Tamil Nadu Hindu Religious &
Charitable Endowment Department,
Secretariate,
Chennai.

2.The Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowment Board,
Nungambakkam,
Chennai.

3.The Joint Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowment Board,
Tirunelveli.

4.The Executive Officer / Joint Commissioner
of Arulmigu Subramniya Swamy Thirukovil
Tiruchendur,
Having Office at
Vadiveeswaram,
Nagercoil.

5.The Assistant Commissioner,
Tamil Nadu Hindu Religious &
Charitable Endowment Board,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.M.MUTHUGEETHAYAN, Advocate (SR-35528[F] dated
23/11/2021)

+1 CC to M/s.SPL GP (SR-35652[F] dated 24/11/2021)

W.P. [MD]No.11636 of 2016
23.11.2021

VR(CO)
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