



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P. [MD]No.15946 of 2017

WEB COPY

R.Muniyasamy

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Deputy Commissioner,
Hindu Religious and Charitable Endowment Department,
Thoothukudi District,
Thoothukudi.

3.S.Ponraj

4.K.Santhanamuthu Devar

5.Rengaraju @ Alagiri Subbiah

6.Venkatakrishnan

7.Subbiah

8.Sanmuha Sundaram

... Respondents

[R3 to R8 are impleaded vide order dated 11.09.2017]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to conduct Arulmigu Santhana Mariamman Kovil Temple Festival situated at South Veerapandiapuram, Ottapidaram Taluk, Thoothukudi District from 29.08.2017 to 05.09.2017 by appointing a Poojari from 2nd respondent Department under the supervision of revenue officials.

For Petitioner : No appearance

For Respondents 1 & 2 : Mr.M.Lingadurai
Special Government Pleader

For Respondents 6 to 8 : Mr.M.Mahaboob Fazil
for Mr.T.Lajapathi Roy

For Respondents 3 to 5 : No appearance



O R D E R

Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 15.12.2021, which reads as follows:

'Mr.M.Lingadurai, learned Special Government Pleader on behalf of respondents 1 to 3 and Mr.G.Karthick, learned counsel representing the counsel on record for respondents 6 to 8 (private respondents) are before me. It is not clear if notice has been served on respondents 3 to 5, Registry to verify and do the needful in the next listing. To be noted, there is no mention about respondents 3 to 5 in the cause list.

2. To be noted, learned State counsel submits that the captioned matter has since become infructuous as it pertains to conduct of festival in a temple during the period 29.08.2017 to 05.09.2017.

3. Be that as it may, there is no representation for writ petitioner, with the intention of giving opportunity to writ petitioner and writ petitioner's counsel, Registry to list the captioned matter again tomorrow.

4. List on 16.12.2021.'

2.Today also Mr.M.Lingadurai, learned Special Government Pleader on behalf of respondents 1 & 2 and Mr.M.Mahaboob Fazil, learned Counsel representing the Counsel on record for respondents 6 to 8 [private respondents] are before me.

3.Notwithstanding earlier proceedings there is no mention about the respondents 3 to 5 but it is not necessary to go into it as there is no representation for the writ petitioner today also. The writ petitioner has not come before this Court in spite of more than one opportunity being given.

4.Be that as it may, a careful perusal of the case file brings to light that the submission of learned State Counsel and learned Counsel for respondents 6 to 8 made in one voice that the captioned matter pertains to conduct of a festival in a temple during the period from 29.08.2017 to 05.09.2017, the period has elapsed and the matter has become infructuous is correct.



5. Recording this stated position which also emanates from the case file before me captioned Writ Petition is disposed of as closed making it clear that this Court has not expressed any view or opinion on the merits of the matter. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// 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 District Collector,
Thoothukudi District,
Thoothukudi.

2. The Deputy Commissioner,
Hindu Religious and Charitable Endowment Department,
Thoothukudi District,
Thoothukudi.

+1 CC to M/s.SPL GP (SR-39245[F] dated 17/12/2021)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-39203[F] dated 17/12/2021)

ORDER MADE IN
W.P. [MD]No.15946 of 2017

16.12.2021

USK (29.12.2021) 3P 5C