



W.P. No. 24155 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 24155 of 2014

and

M.P. No. 1 of 2014

R.Nadeshraj

... Petitioner

-VS-

1. The Joint Commissioner of HR&CE (Administration),
Hindu Religious and Charitable Endowments Department,
O/o. Commissioner of HR&CE,
Uthamar Gandhi Salai,
Nungambakkam,
Chennai – 600034.

2. The Assistant Commissioner (HR&CE),
Hindu religious and Charitable Endowments Department,
Thiruvallur,
Thiruvallur District.

3. Arulmigu (Thirupura Sundari Samedha),
Mutheeswarar Temple,
Rep.by its Administrative Committee,
Kadambetthur Village,
Thiruvallur Taluk and District.

4. Sivarao Mudaliar

5. Kulandaivelu Mudaliar

6. Nallathambi Mudaliar

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Second Respondent



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to instruct the Fourth to Sixth Respondents to conduct public auction for leasing out the immovable properties belonging to the Third Respondent Temple, in a transparent manner, by considering the Petitioner's representation dated 23.06.2014 following by reminder dated 25.08.2014 within a reasonable time to be fixed by this Court.

For Petitioner : Mr. V.Ajoy Khose

For Respondents : Mr. K.Karthikeyan,
Government Advocate
(for R1 & R2)

No appearance (for R3 to R6)

ORDER

Heard V.Ajoy Khose, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate appearing for the First and Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. There is no representation for the Third to Sixth Respondents when the matter is called at 12.40 p.m. today.

3. It is the case of the Petitioner that the Fourth to Sixth Respondents are not properly conducting the administration of the Temple of the Third



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Respondent and in such circumstances, he had made a representation dated 2306.2014 to the Second Respondent for conducting the public auction for leasing out the immovable properties of the said Temple in transparent manner. As no action has taken thereon, this Writ Petition has been filed.

4. It has been brought to notice that after the filing of the Writ Petition, a fit person has been appointed for the said Temple in the year 2016 and Learned Government Advocate appearing for the First and Second Respondents has made endorsement to that effect in the court record. In such circumstances, the relief as sought by the Petitioner in the Writ Petition does not remain for consideration. Though obvious, it is made clear that if the Petitioner still has any other grievance, he is not precluded from to work out his rights before the proper forum in the manner recognized by law.

4. In fine, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petition is closed. No costs.

13.10.2022

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Index: Yes/No

Note: Issue order copy by 07.11.2022.



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To

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P.D. AUDIKESAVALU, J.

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