



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2022

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No.8846 of 2016

Lawspet Makkal Nalavazhuva
Sangam represented by its
President by name
R. Kaliyaperumal,
No.15, Veerabathira Swamy Koil Street,
Lawspet, Puducherry 605 008. ... Petitioner

Vs

1. The District Collector-cum-
Additional Secretary (Revenue),
Revenue Complex, Saram,
Puducherry.
2. The Commissioner,
Hindu Religious Institutions & Wakf Dept.,
Lauriston street, Puducherry.
3. S.SelvaGanapathy,
Second Cross,
Mahalakshmi Illam,
Bharathidasan Nagar,
Karuvadikuppam,
Puducherry ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to explore the representations dated 20.08.2015 & 29.02.2016 and take befitting action in consonance with the Puducherry Hindu Religious Institutions Act, 1972 against the third respondent within the time limit as fixed by this Court.

For petitioner ... Mr. P. Suresh

For respondents ... Mr. C.T. Ramesh,
Addl. Government Pleader,
for R1 & R2



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ORDER

This writ petition has been filed seeking a direction to the respondents to dispose the petitioner's representations dated 20.08.2015 & 29.02.2016.

2. The grievance of the petitioner is that the property belongs to Arulmigu Drowbathiamman Devasthanam Temple, which has been administered by the Commissioner, HR & CE Department, Pondicherry, has been leased out in favour of the 3rd respondent. Thereafter, the department was taking steps to appoint the 3rd respondent as an Trustee. The lease deed executed in favour of the 3rd respondent was cancelled only for the purpose of appointing him as a trustee, thereafter, the lease deed was executed in favour of the 3rd respondent's friend, his benami and hence, the 3rd respondent is disqualified from being appointed as a Trustee. However, without considering the same, the HR & CE Department taking steps to appoint him as Board of Truees of the said temple. Hence, the petitioner made a representation to the respondents 1 and 2. Since no action has been taken, the present writ petition has been filed.

3. The respondent filed a counter affidavit stating that originally, the lands were leased out to the 3rd respondent, where he has constructed 5 storeyed building . Thereafter, the lease was terminated and subsequently, steps was taken for appointing him as a Trustee.

4. The learned Additional Government Advocate (Pondy) submitted that now the property is in possession of the temple and now trustee period of the 3rd respondent was also over .

5. Considering the above circumstances, nothing remains for adjudication in this writ petition and hence, this writ petition is closed. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

mrp



To

1. The District Collector-cum-
Additional Secretary (Revenue),
Revenue Complex, Saram,
Puducherry.

2. The Commissioner,
Hindu Religious Institutions & Wakf Dept.,
Lauriston street, Puducherry.

+lcc to Mr.P.Suresh, Advocate SR.No.11880

+lcc to the Government Pleader(Puducherry) SR.No.11370

W.P. No.8846 of 2016

CA(CO)
GN(30/03/2022)