



W.P.No.32830 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.12.2022

CORAM:

THE HON'BLE **MR.JUSTICE N.SATHISH KUMAR**

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Arulmigu Amirthambigai Sametha Somanatha
Eswaraswamy Temple
Rep. by its Trustee
P.Sivachidambaram
Panruti Town
Panruti Taluk
Cuddalore District
Tamil Nadu 607 108

... Petitioner

Vs.

1.The Commissioner
HR & CE
119, Uttamar Gandhi Salai
Thousand Lights West
Nungambakkam
Chennai, Tamil Nadu 600 034

2.The Joint Commissioner
HR & CE
Collector Office Road
Moovendar Nagar
Villupuram
Chennai, Tamil Nadu 605 602

... Respondents



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PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus, to direct the 2nd respondent to implement the draft scheme in O.A.No.54 of 2006 dated 09.11.2016 on the file of the 2nd respondent.

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.M.Bindran
Addl. Government Pleader (HR&CE)

ORDER

The Writ Petition is filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus, to direct the 2nd respondent to implement the draft scheme in O.A.No.54 of 2006 dated 09.11.2016 on the file of the 2nd respondent.

2.It is the contention of Mr.V.Ragavachari, the Senior learned counsel appearing for the petitioner that, though a draft scheme has been framed and approved long back, the same has not been implemented. Hence seeks for a direction.

3.Mr.M.Bindran, the learned Additional Government Pleader appearing for H.R. & C.E. would submit that the Joint Commissioner of



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H.R.&C.E. has recommended for cancellation of the said scheme, in respect of which, a communication has also been sent by the Commissioner. He has also placed the communication dated 29.06.2021 before this Court.

4.Such view of the matter, as the authorities have taken some decision, once again there cannot be any direction to approve the said scheme. It is well open to the petitioner to challenge the order for rejecting the scheme in a manner known to law. The respondents shall serve a copy of rejection of the scheme to the petitioner.

5.This Writ Petition stands dismissed accordingly. No costs.

07.12.2022

kas

Index : yes / no

Internet : yes / no

Speaking / Non speaking



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N.SATHISH KUMAR, J.

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To

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