



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.04.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. (MD) .No.11924 of 2010

R.Muthukrishnan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamargandhi Salai,
Chennai-34.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Paramakudi,
Ramanathapuram District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the entire records pertaining to the impugned proceedings of the first respondent in நி.மு.எண்.33268/2010/இ1, dated 28.06.2010 and quash the same as illegal and pass such further or other orders as this Court.

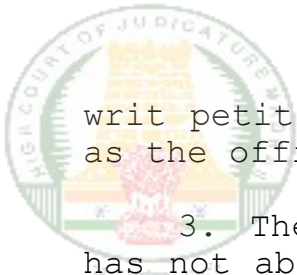
For Petitioner : Mr.C.M.Arumugam

For R-1 & R-2 : Mr.P.Subbaraj,
Special Government Pleader.

ORDER

The petitioner has filed this writ petition for a Certiorari, calling for the entire records pertaining to the impugned proceedings of the first respondent in நி.மு.எண்.33268/2010/இ1, dated 28.06.2010.

2. This writ petition has been filed challenging the impugned order of the first respondent Commissioner asking the second respondent to appoint a fit person. Pursuant to the impugned order, dated 28.06.2010, the Assistant Commissioner had appointed three non-hereditary trustees on the order, dated 28.06.2010 which was subject matter of W.P(MD)No.10485 of 2010. Today by the aforesaid



writ petition, was dismissed in the light of subsequent development as the office of non-hereditary trustees had come to an end.

3. The learned Special Government Pleader for the respondent has not able to confirm whether the cause of action still exist for appointing a fit person in terms of the impugned notice. Considering the fact that no decision has been taken so far, I am inclined to dispose of the writ petition by remitting the case back to the respondent to take a considered decision as to whether reasons still exist for appointing a fit person as a on date. In case, if fit person has to be appointed for the temple, Arulmigu Muthumariamman Temple at Thiruppathur, Sivagangai District, notice shall also be issued to the petitioner.

4. The writ petition stands disposed of in terms of the above observations. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

btr

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 Commissioner,
Hindu Religious and Charitable Endowments Department,
No.119, Uthamargandhi Salai, Chennai-34.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Paramakudi, Ramanathapuram District.

+1 CC to M/s.C.M. ARUMUGAM, Advocate (SR-16581[F] dated 05/04/2022)

+1 CC to M/s.SPL.GP (SR-16665[F] dated 05/04/2022)

W.P. (MD) .No.11924 of 2010
04.04.2022

MGJ(25.04.2022) 2P 5C

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