



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2022

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P(MD) .No.13187 of 2020

and

W.M.P(MD) .No.11045 of 2020

Velladurai

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Trivandrum High Road,
Palayamkottai,
Tirunelveli.

3.The Executive Officer,
Arulmighu Kalugasalamoorthy Temple,
Kalugumalai,
Thoothukudi District.

4.Shri.E.Thangaswamy,
Hereditary Trustee,
Arulmighu Kalugasalamoorthy Temple,
Kalugumalai,
Thoothukudi District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to cancel the agreements if any entered with anyone by violation of auction procedure and call for public auction of the properties belong to the Kalugasalamoorthy Temple, Kalugumalai, within a time frame that may be fixed by this Court.

For Petitioner : Mr.S.Siva Ilayaraja

For R1 & R2 : Mr.P.Subbaraj
Special Government Pleader

For R3 : Mr.S.Suresh Manickam



For R4 : No Appearance

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondents to cancel the agreements, if any, entered with anyone in violation of auction procedure and call for public auction of the properties belong to the Kalugasalamoorthy Temple, Kalugumalai.

2.The learned counsel for the official respondents submits that appropriate orders will be passed on the representation dated 03.10.2019 of the petitioner within a period of 6 weeks.

3.The learned counsel for the 3rd respondent submits that the 4th respondent herein died during the pendency of the present writ petition.

4.Recording the submission of the learned counsel for the official respondents, the writ petition stands disposed of by directing the 2nd respondent/the Joint Commissioner to pass appropriate orders on the representation dated 03.10.2019 of the petitioner on merits and in accordance with law, within a period of 6 weeks from the date of receipt of a copy of this order. It is needless to state that before passing such orders, the legal heirs of the 4th respondent herein and any other persons, who are likely to be impacted by such orders to be passed by the 2nd respondent, shall also be heard.

5.The writ petition stands disposed of, in terms of the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai.



2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Trivandrum High Road,
Palayamkottai,
Tirunelveli.

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+1 CC to M/s.SPL. GP (SR-23025[F] dated 29/04/2022)

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RD(26.05.2022) 3P 4C