



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.03.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **C.SARAVANAN**

W.P. (MD) No.12169 of 2016

and

W.M.P. (MD) No.9267 and 9268 of 2016

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Pichai

... Petitioner

/vs./

1.The District Collector,
Karur District.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Uthamarkoil Andan Valagam,
Pichandarkovil,
Trichy.

3.The Block Development Officer,
Kulithalai Panchayat Union,
Karur District.

4.The Executive Officer,
Arulmigu Rathnagreeswarar Swamy Temple,
Ayyarmalai,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned auction notice dated 04.06.2016 published on 10.06.2016 of the 4th respondent in respect of item Nos.6 and 7 and quash the same and consequently forbear the respondents 2 and 4 from conducting any public auction in respect of petitioner's property in Survey Nos.34,35,37,38,39,40 and 41/1 situated at Sathyamanagalam Village, Kulithalai Taluk.

For Petitioner : Mr.J.Anandkumar

For R1 to R3 : Mr.P.T.Thiraviam,
Government Advocate

For R4 : Mr.P.Athimoolapandian

ORDER

The petitioner has filed this writ petition for a Certiorarified Mandamus to call for the records relating to the impugned auction notice of the 4th respondent dated 04.06.2016



published on 10.06.2016, to quash the same and to forbear the respondents 2 and 4 from conducting any public auction in respect of the petitioner's property in S.Nos.34, 35, 37, 38, 39, 40 and 41/1 situated at Sathyamanagalam Village, Kulithalai Taluk.

2. There is no merits in the present writ petition as the writ petition has been filed by the erstwhile President of the Sathyamangalam Panchayat, Kulithalai Taluk, Karur District.

3. Though the petitioner has filed this writ petition in the year 2016, challenging the auction that was proposed to be held on 20.06.2016, it is noticed that the petitioner in his individual capacity has no *locus standi* to challenge the auction merely because the petitioner was the President of the aforesaid Panchayat. In any event, the petitioner has an alternate remedy under the provisions of the Religious Institutions (Lease of Immovable Property) Rules, 1963.

4. It is noticed that for the succeeding period also, auction had been conducted. Thus, the writ petition is liable to be dismissed. It is further noticed that the petitioner is no longer the President of the aforesaid Panchayat, namely Sathyamangalam Panchayat, Kulithalai Taluk, Karur District.

5. Considering the above, the present writ petition is dismissed with a liberty to the incumbent President to question the auction of the 4th respondent in accordance with the provisions of the aforesaid Rules r/w the Tamil Nadu Hindu Religious and Charitable Endowment Act, 1959. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The District Collector,
Karur District.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Uthamarkoil Andan Valagam,
Pichandarkovil, Trichy.



3.The Block Development Officer,
Kulithalai Panchayat Union,
Karur District.

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+1 CC to M/s.J.ANANDKUMAR, Advocate (SR-12786[F] dated 17/03/2022)

+1 CC to M/s.SPL GP (SR-13010[F] dated 18/03/2022)

W.P. (MD) No.12169 of 2016

SP(CO)

TR(05.04.2022) 3P 6C