



W.P.No.26288 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.26288 of 2015

&

M.P.Nos.1 and 2 of 2015

S.Chandran

... Petitioner

Vs.

1.The Joint Commissioner
Coimbatore Division
Hindu Religious and Charitable
Endowment Department
Coimbatore

2.The Assistant Commissioner
Coimbatore Division
Hindu Religious and Charitable
Endowment Department
Coimbatore

3.Sri Siva Subramania Swami Bhajanai
Madalayam
Rep by its President
Managing Trustee
Thottae Gowder Street
Coimbatore

4.N.Kesavan

... Respondents



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PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records relating to the order dated 28.07.2015 made in Na.Ka.No.8650/2014/A1 passed by the 2nd respondent and quash the same.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.P.Rajendran, AGP for R1 and 2

Ms.Ilayarani Ponraj for R3 and 4

ORDER

This writ petition has been filed to call for the records relating to the order dated 28.07.2015 made in Na.Ka.No.8650/2014/A1 passed by the 2nd respondent and quash the same.

2. In the impugned order dated 28.07.2015, wherein a direction is given to the temple authorities to bring the property in the temple register and also include the income to the temple.

3. The main challenge of the learned counsel for the petitioner is that no notice whatsoever has been issued to the petitioner. According to him the property has not been dedicated, only the conditional gift has been executed for performance of the poojas and charity and therefore without



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any notice the impugned order has been passed.

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4. On perusal of this order, this Court is of the view that the impugned order itself to be treated as show cause notice for which the petitioner shall give a reply within a period of one month from the date of receipt of a copy of this order. On receipt of such reply, the respondents are directed to pass orders in this regard.

With the above directions, the Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

06.01.2023

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Index:Yes/No

Speaking/Non-speaking order

Neutral citation:Yes/No



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N. SATHISH KUMAR, J.

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To

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Coimbatore

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