



W.P.Nos.18719 to 18723 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 17.04.2023**

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**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P.Nos.18719 to 18723 of 2014**

**and**

**M.P.No.1 of 2014 [5 M.Ps] and M.P.No.2 of 2014 [5 M.Ps]**

Senthil Kumar  
S/o.Kulandaivelu ...Petitioner in W.P.No.18719/2014

Periyasamy  
S/o.Ramalingam ...Petitioner in W.P.No.18720/2014

Thavamani  
S/o.Ramasamy Udaiyar ...Petitioner in W.P.No.18721/2014

Periyasamy  
S/o.Manickam ...Petitioner in W.P.No.18722/2014

Iyyasami  
S/o.Thangavel Udaiyar ...Petitioner in W.P.No.18723/2014

Vs.

1.District Collector,  
Cuddalore District.

2.The Commissioner,  
Hindu Religious and Charitable  
Endowments,  
Nungambakkam, Chennai – 600 034.



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3.The Executive Officer,  
Arulmigu Vaithyanathan Swamy Temple,  
Thittakudi Taluk,  
Cuddalore District.

4.The Executive Officer,  
Arulmighu Chindambareswarar Temple,  
Nedungulam Village,  
Thittakudi Taluk,  
Cuddalore District.

5.The Fit Person,  
Vaidhyanatha Swamy Temple,  
Thittakudi, Cuddalore District.

6.Kadirvelu

7.Siva Ganapathy

8.Ramesh

9.Thennarasu

10.Selvakumar

..Respondents in all W.Ps

**Prayer in W.P.No.18719, 18720, 18722 & 18723 of 2014** : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to conduct a fresh open public auction in respect of the lands measuring 5.89.5 Hectares comprised in Survey Nos.26/1 and 26/4 of Kumarai Village, Thittakudi, Cuddalore District.



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**Prayer in W.P.No.18721 of 2014** : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to conduct a fresh open public auction in respect of the lands measuring 3  $\frac{3}{4}$  acres out of 5.89.5 Hectares comprised in Survey Nos.26/1 and 26/4 of Kumarai Village, Thittakudi, Cuddalore District.

For Petitioners : Mr.P.R.Balasubramanian  
(in all W.Ps)

For R1 to R4 : Mr.Abishek Murthy  
Government Advocate  
(in all W.Ps)

### **COMMON ORDER**

The issues involved in these writ petitions are one and the same.  
Hence, they are disposed of by this common order.

2. The relief sought for in all the present writ petitions are to direct the respondents to conduct a fresh open public auction in respect of the lands measuring 5.89.5 Hectares and 3  $\frac{3}{4}$  acres out of 5.89.5 Hectares respectively comprised in Survey Nos.26/1 and 26/4 of Kumarai Village, Thittakudi, Cuddalore District.



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3. Admittedly, the subject land belongs to the temple and the public auction is to be conducted strictly in accordance with the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959.

4. The grievances of the writ petitioners are that the lands are leased out without conducting open auction, which would not only cause financial loss to the temple, but also deprival of an opportunity to eligible persons to participate in the open auction.

5. It is needless to state that the authorities competent are bound to conduct the public auction in the manner contemplated under the provisions of the Hindu Religious and Charitable Endowments Act.

6. As far as the grievances of the writ petitioner are concerned, now eight (8) years lapsed and therefore, no direction is required in this regard. That apart, the cause did not exist as of now, since the auction of the subject land would have completed long back.



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7. Accordingly, all the writ petitions stand disposed of. No costs.

Consequently, connected miscellaneous petitions are closed.

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Index : Yes

Speaking order

Neutral Citation: Yes

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To

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Hindu Religious and Charitable  
Endowments,  
Nungambakkam,  
Chennai – 600 034.
- 3.The Executive Officer,  
Arulmigu Vaithyanathan Swamy Temple,  
Thittakudi Taluk,  
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Thittakudi Taluk,  
Cuddalore District.



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5. The Fit Person,  
Vaidhyanatha Swamy Temple,  
Thittakudi, Cuddalore District.

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**S.M.SUBRAMANIAM, J.**

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