



WP No.17919 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.09.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKEVALU

WP No.17919 of 2017

P.Sathyaraj

: Petitioner

versus

- 1.State of Tamil Nadu
Rep. by its Secretary
Tourism, Culture and Religious Endowment Dept
Fort St. George, Chennai 600 009
- 2.The Commissioner
HR & CE Department
Mahatma Gandhi Road
Nungambakkam, Chennai 600 034
- 3.The Joint Commissioner
HR & CE Department
Balasundaram Road, Coimbatore 641 018
- 4.Sri Kumara Mutt (A Hindu Religious Mutt)
Also known as Sri Gowmara Mutt)
rep. by its Madathipathy Chinnavedampatti
Coimbatore 641 006
- 5.M/s.Nithya Associates
rep. by its Proprietor K.Muruganantham
B6, 3rd Floor, 753, Andavar Complex
Cross Cut Road, Gandhipuram, Coimbatore 641 012
- 6.Kumaraguru College of Technology
Rep. by its Chairman



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Chinnavedampatti Post
Coimbatore 641 049

7.C.Selvaraj

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing respondents 2 and 3 to take appropriate action ensuring restoration of lands belonging to the 4th respondent mutt alienated in any manner whatsoever including long terms lease contrary to the provisions of Section 34 of the Hindu Religious and Charitable Endowments Act, 1959, and put the same in use for the purpose of objects of the 4th respondent mutt.

For the Petitioner : Mr.A.Mohamed Ismail

For Respondents 1 to 3 : Mr.R.Shunmugasundaram, Advocate-General,
assisted by Mr.N.R.R.Arun Natarajan, Spl.GP

For Respondent No.4 : Ms.M.K.Padma

For Respondent No.6 : Mr.L.Palanimuthu

Not ready in notice for respondent No.5

No appearance for respondent No.7

ORDER

(Made by the Hon'ble Chief Justice)

We have heard Mr.A.Mohamed Ismail, learned counsel for the petitioner, Mr.R.Shunmugasundaram, learned Advocate-General for respondents 1 to 3, Ms.M.K.Padma, learned counsel for the fourth respondent and Mr.L.Palanimuthu, learned counsel for the sixth respondent.

2. The learned counsel for the petitioner submits that he has no instructions in the matter. On the last date also, the matter was adjourned at the request of the learned counsel for the petitioner.



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3. In fact, the purpose of the writ petition would not survive as the lease in favour of the lessee is already cancelled and the same is assailed by the lessee in WP No.13153 of 2014.

4. As the learned counsel for the petitioner has no instructions, the writ petition is dismissed. There will be no order as to costs.

(S.V.G., CJ.)

(P.D.A., J.)

13.09.2023

Index : Yes/No
Neutral Citation : Yes/No
tar

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THE HON'BLE CHIEF JUSTICE
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P.D.AUDIKEVALU, J.

(tar)

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