



W.P.(MD) No.7183 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.7183 of 2023

and

W.M.P.(MD) No.6775 of 2023

M.Chinnadurai

.. Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Virudhunagar District.

3.R.Karuppasamy

4.S.Archunan

5.Boominathan

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the first respondent to pass the final orders passed on its summons bearing Na.Ka.No. 12601/22/E2 dated 03.01.2023 within the time frame fixed by this Court and with a consequential direction directing respondents 1 and 2 to



W.P.(MD) No.7183 of 2023

appoint a Thakkar (Fit Person) till the final order passed by first respondent in its summons bearing Na.Ka.No.12601/22/E2 dated 03.01.2023.

For Petitioner : Ms.Porkodi Karnan
for M/s.Polax Legal Solutions

For RR1 & 2 : Mr.P.Subbaraj
Special Government Pleader

For RR3 to 5 : Mr.M.Solaisamy

ORDER

This writ petition is filed for the issue of a Writ of Mandamus directing the first respondent to pass final orders passed on its summons bearing Na.Ka.No. 12601/22/E2 dated 03.01.2023 within the time frame fixed by this Court with a consequential direction directing respondents 1 and 2 to appoint a Thakkar (Fit Person) till the final order passed are by first respondent in its summons bearing Na.Ka.No.12601/22/E2 dated 03.01.2023.

2. This writ petition highlights the manner in which litigants have started misusing the extraordinary jurisdiction of this Court under Article



W.P.(MD) No.7183 of 2023

226 of the Constitution of India. This is a case where the petitioner had obtained orders from a Division Bench of this Court in W.A.(MD) Nos. 589 and 686 of 2019 dated 28.11.2022 wherein, the Division Bench had directed the first respondent herein viz., The Joint Commissioner, Hindu Religious and Charitable Endowment, Sivagangai, to pass orders on merits and in accordance with law, after giving due notice to the parties concerned by following due process within a period of four week from the date of receipt of a copy of the order. The issue was the mismanagement of the affairs of Sri Mariamman Angala Eswari Temple and Sri Mariamman Temple, both situated at Thiruthangal Municipality, Sivakasi Taluk. It is also seen that the Joint Commissioner has initiated enquiry, which is evident from the notice dated 03.01.2023 issued to the petitioner by the Joint Commissioner calling upon him for an enquiry on 09.01.2023 at 03.00 p.m. It is at this juncture, that the present writ petition has been filed for the very same relief, which has been granted by the Division Bench, by directing time bound disposal of the proceedings.



W.P.(MD) No.7183 of 2023

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3. Considering the fact that already orders have been passed and the orders are being complied, no further orders are required in this writ petition and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

26.04.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes

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W.P.(MD) No.7183 of 2023

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To

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Hindu Religious and Charitable Endowment,
Sivagangai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Virudhunagar District.



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W.P.(MD) No.7183 of 2023

P.T.ASHA, J.

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W.P.(MD) No.7183 of 2023

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