



W.P.(MD)No.10232 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.10232 of 2020
and W.M.P.(MD)No.9123 of 2020

G.Veluchamy

... Petitioner

versus

1. The Commissioner,
Hindu Religious & Charitable Endowment
Department,
No.119, Uthamar Gandhi Road,
Chennai – 34.

2. The Joint Commissioner,
Hindu Religious & Charitable Endowment
Department,
Madurai.

3. The Assistant Commissioner,
Hindu Religious & Charitable Endowment,
Madurai.

4. Arulmigu Koodal Alagar Temple,
Madurai.
(R4 is *suo motu* impleaded vide
order dated 27.08.2020)

... Respondents

Writ Petition filed under Article 226 of the Constitution of India,
seeking for the issuance of Writ of Certiorari to call for the records



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pertaining to the impugned order passed by the 3rd respondent vide his proceedings in Na.Ka.2206/2017-4/Aa1, dated 05.08.2020 and quash the same.

For Petitioner : Mr.S.Madhavan
For R1 to R3 : Mr.P.Subba Raj,
Special Government Pleader
For R4 : Mr.S.Manohar

ORDER

This writ petition is filed as against the order of the 3rd respondent/the Assistant Commissioner of HR&CE Department, Madurai, dated 05.08.2020 passed under Section 79 of HR&CE Act. By the order impugned in this writ petition, the petitioner has been declared as an encroacher and the Temple property has been taken over by the Temple administration.

2. However, this writ petition has been filed without impleading the Temple as a party to this writ petition. Therefore, this Court, by order dated 27.08.2020, *suo motu* impleaded Arulmigu Koodal Alagar Temple, Madurai, as 4th respondent in this writ petition.



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3. Today, when the writ petition is taken up for hearing, the learned counsel appearing for the petitioner has circulated a memo that he is not having any instructions from the petitioner.

4. The learned counsel appearing for the 4th respondent/Temple submits that the petitioner has been vacated from the Temple property and therefore, nothing survives in this writ petition.

5. Since the petitioner could not contact the petitioner and based on the submission of the learned counsel appearing for the 4th respondent/Temple that the petitioner has already been vacated from the Temple property, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

10.10.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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B.PUGALENDHI, J.

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