



W.P.(MD) No.9712 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.04.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.9712 of 2023

and

W.M.P.(MD) No.8574 of 2023

M.Sorimuthu

.. Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tuticorin.

3.S.Velayutham

4.A.Sorimuthu

5.The Fit Person Appointee,
Executive Officer,
Arulmighu Sankararameswarar Thirukoil,
Tuticorin.

.. Respondents



W.P.(MD) No.9712 of 2023

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, calling for the records relating to the impugned proceedings in Se.Mu.Na.Ka.No.2646/2021/ஆ1/ dated 29.03.2023 issued by the 2nd respondent and quash the same as illegal.

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

ORDER

The petitioner has filed this writ petition to quash the impugned proceedings dated 29.03.2023 issued by the second respondent.

2. In an identical circumstances, this Court in W.P.(MD) No.8485 of 2023, dated 17.04.2023, passed the following order:

“7. Admittedly, orders have been passed without any notice whatsoever to the petitioner and without affording an opportunity to the petitioner to put forward his contention. This assumes significance in the light of the fact that the petitioner as well as the fourth respondent have already initiated proceedings and have also questioned the right of the third respondent to



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enter into the administration of the temple. Therefore, since the principles of natural justice have been floated, this Writ Petition is allowed, the impugned proceedings of the first respondent in Ni.Mu.No. 050475/2020/E2 dated 14.06.2021 and the consequential impugned proceedings of the second respondent in Se.Mu.Na.Ka.No.2646/2021/Aa1 dated 29.03.2023 are quashed and the matter is remitted back to the first respondent, who shall after affording one more opportunity to the parties to appear in person, pass a speaking order on merits within a period of six weeks from the date of receipt of a copy of this order.”

3. Since the notice impugned in this writ petition dated 29.03.2023 has already been quashed by this Court in W.P.(MD) No.8485 of 2023, dated 17.04.2023, no further orders are required in this writ petition. Accordingly, this Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

25.04.2023

NCC : Yes/No

Index : Yes/No

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P.T.ASHA, J.

abr

To

1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Uthamar Gandhi Salai,
Nungambakkam, Chennai.

2.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tuticorin.

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