



W.P. (MD) No. 19679 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2023

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

W.P. (MD) No. 19679 of 2020

and

W.M.P. (MD) Nos.16398 of 2020 and 3019 of 2021

1.C.Murugesan
2.Annamalaiyan

... Petitioners

[2nd Petitioner is impleaded vide order dated 24.01.2023]

-VS-

The Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple,
Madurai.

... Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the respondent dated 08.12.2020 made in Na.Ka.No.458/2014/E2 quash the same, as the same is arbitrary, ultravires and consequentially direct the respondent to transfer the tenancy in my name in respect of an extent of 726 sq.feet out of the total extent of 2200 sq.feet in the property comprised in Door No.346, Usilai Road, Tirumangalam, Madurai District on the basis of the representations dated 14.02.2014, 13.06.2015 and 20.06.2016.

For Petitioners : Mr. R.G.Shankar Ganesh

For Respondent : Mr. VR.Shanmuganathan



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ORDER

Heard Mr. R.G.Shankar Ganesh, Learned Counsel appearing for the Petitioners and Mr. VR.Shanmuganathan, Learned Counsel appearing for the Respondent and perused the materials placed on record apart from the pleadings of the parties.

2. The Writ Petition has been filed challenging the order passed by the Respondent dated 08.12.2020 vide proceedings in Na.Ka.No.458/2014/E2 calling upon the First Petitioner, who is sub-lessee under the Second Petitioner, to hand over the possession of the property within a period of 15 days from the date of its receipt.

3. It is stated that after filing of the Writ Petition, possession of the property has been handed over by the First Petitioner to the Second Petitioner and a memo dated 11.01.2023 has been filed to that effect, which is placed on record.

4. In such circumstances, the challenge made to the impugned order does not remain for consideration, but it would not preclude the Respondent from taking any further action against the Petitioners in respect of the property in accordance with law.



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5. In the result, the Writ Petition is disposed with the aforesaid observations. Consequently, the connected Miscellaneous Petitions are closed.

No costs.

24.01.2023

NCC : Yes/No

Index: Yes/No

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Note: Issue order copy by 27.02.2023.

To

The Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple,
Madurai.



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P.D. AUDIKESAVALU, J.

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