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W.P.(MD) No.20340 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.(MD) No.20340 of 2023

P.M.Ramasamy

... Petitioner

-VS-

- 1.The Principal Secretary
to Government of Tamilnadu
Tourist, Culture & HR & CE
(A.Ni(1-1) Department
HR & CE Secretary
Fort St.George, Chennai-9
- 2.The Commissioner
HR & CE Department
No.119, Uthamar Gandhi Salai
Nungambakkam, Chennai-34
- 3.The District Collector
Trichirappalli District
Trichy



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4.The Joint Commissioner
HR & CE
Trichy Region
Regional Joint Commissioner Office
Neelgirishwar Thoppu
Thiruvanaikaval
Trichy-5

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to take action on the complaint of the petitioner dated 27.05.2023.

For Petitioner : Mr.V.Karuna

For Respondents : Mr.P.Thilakkumar
Government Pleader

ORDER

[Order of the Court was made by S.S.SUNDAR, J.]

Mr.P.Thilakkumar, learned Government Pleader, takes notice for the respondents.

2. With the consent of both sides, this writ petition is taken up for final hearing at the admission stage itself.



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3. This writ petition is filed for issuance of a writ of mandamus directing the respondents to take action based on the complaint, dated 27.05.2023, given by the petitioner.

4. Despite the fact that the petitioner made several allegations against the Mutt, which is now entrusted with the properties, he has not impleaded the Jeer of the Mutt, who, according to the petitioner, is not competent and has no right to administer the properties.

5. Learned Government Pleader appearing for the respondents, on instructions, states that the petitioner is in encroachment of properties of a religious institution and the present writ petition is filed in response to the eviction proceedings initiated against him.

6. In such circumstances, this Court finds no *bona fides* in this public interest litigation and for non-joinder of necessary parties, this writ petition is liable to be dismissed.



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7. Accordingly, this writ petition fails and it is dismissed. No costs.

[S.S.S.R., J.]

[D.B.C., J.]

22.08.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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