



W.P. (MD) No. 28350 of 2022

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. 28350 of 2022

and

W.M.P. (MD) Nos. 22395 and 22396 of 2022

1.C.Murugesan
2.Annamalaiyan

... Petitioners

[2nd Petitioner is impleaded vide order dated 24.01.2023]

-VS-

1.The Commissioner,
Tamil Nadu Hindu Religious
and Charitable Endowment Department,
Nungambakkam, Chennai.

2.The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowment Department,
Ellish Nagar, Madurai.

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

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the third respondent dated 07.12.2022 in proceedings Na.Ka.No.458/2014/E5 quash the same, as the same is arbitrary, ultravires, contrary to law.



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For Petitioner : Mr. R.G.Shankar Ganesh
For R1 & R2 : Mr. T.Villavan Kothai
Additional Government Pleader
For R3 : Mr. VR.Shanmuganathan

ORDER

Heard Mr. R.G.Shankar Ganesh, Learned Counsel appearing for the Petitioner, Mr. T.Villavan Kothai, Learned Additional Government Pleader appearing for the First and Second Respondents and Mr. VR.Shanmuganathan, Learned Counsel appearing for the Third Respondent and perused the materials placed on record apart from the pleadings of the parties.

2. The Writ Petition has been filed challenging the proceedings Na.Ka.No. 458/2014/E5 dated 07.12.2022 passed by the Third Respondent rejecting the representation made by the First Petitioner for regularizing the lease of the property taken by the Second Petitioner from the Third Respondent.

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.



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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.

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

1. The Commissioner,
Tamil Nadu Hindu Religious
and Charitable Endowment Department,
Nungambakkam, Chennai.
2. The Joint Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowment Department,
Ellich Nagar, Madurai.
3. The Deputy Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Temple,
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P.D. AUDIKESAVALU, J.

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24.01.2023