



WEB COPY



**C.M.P.No.7120 of 2024**

**in**

**A.S.No.547 of 2019**

**S.M.SUBRAMANIAM, J.**

The present miscellaneous petition has been filed to close the enquiry proceedings initiated by the respondents. Consequently, permit the petitioner to function as the Hereditary Trustee of the two Temples dedicated to Arulmigu Periamman and Chinnamman, at Annur Village, Coimbatore District, Tamil Nadu.

2. The miscellaneous petition itself is not entertainable, in view of the fact that the competent authorities of the Hindu Religious and Charitable Endowments Department are in the process of implementing the orders passed by the Courts in the Original Suit and in the Appeal Suit.

3. Mr.R.Dhandapani / petitioner filed Special Leave Petition in S.L.P.No.13935 of 2023 and the Hon'ble Supreme Court of India disposed of the matter on 31.07.2023 as withdrawn. After withdrawing the SLP before the Hon'ble Supreme Court, the present miscellaneous petition is filed. It is not explained under which provisions of Code of Civil Procedure such



petition is filed.

WEB COPY

4. That apart, the decree of the Civil Court passed in the Original Suit has been confirmed by the Appellate Court in the Appeal Suit. That being so, the very relief sought for in the miscellaneous petition to direct the respondents to close the enquiry proceedings is not entertainable.

5. The learned Government Advocate appearing on behalf of the respondents 1 and 2 would submit that pursuant to the judgment in Appeal Suit notice was issued by the Joint Commissioner, Hindu Religious and Charitable Endowments Department to the parties concerned. The petitioner also appeared before the Joint Commissioner.

6. That being the factum established, the miscellaneous petition filed is not entertainable and consequently stands dismissed. The joint commissioner is directed to proceed with the matter and conclude the same as expeditiously as possible.

**09.08.2024**

Jeni



WEB COPY



**S.M.SUBRAMANIAM, J.**

Jeni

**C.M.P.No.7120 of 2024**

**in**

**A.S.No.547 of 2019**

**09.08.2024**