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W.P.No.18926 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

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THE HONOURABLE MR. JUSTICE S. SOUNTHAR

W.P No.18926 of 2020
and
WMP.No.23493 of 2020

C.R.Vijay

...Petitioner

Versus

1. R.Sathishkumar

2. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Uttamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.

3. Joint Commissioner,
HR & CE (Admn) Department,
Nungambakkam, Chennai - 600 034.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for all the records of the second respondent pertaining to the impugned order dated 07.09.2020 passed by the second respondent in R.P.No.204 of 2018 on the file of the Commissioner, HR & CE, Admn, Department, Chennai - 34, quash the same and direct the second respondent to conduct the enquiry afresh after giving opportunity to all parties without reference to any other proceedings.

For Petitioner	: Mr.K.Ashokkumar, change of vakalat given
For R1	: M/s. G.Sugumaran
For R2 & R3	: Mr.K.Karthikeyan



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4. There is no representation for the petitioner. Heard the arguments of learned learned Special Government Pleader appearing for the official respondents and Mr.G.Sugumaran, learned counsel appearing for the first respondent.

5. The learned counsel for the first respondent submits that M.P.No.6 of 2017 was filed by the first respondent even during the lifetime of his father. Subsequently, his father died. Therefore a fresh application was filed by the first respondent in M.P.No. 169 of 2021 on the file of the third respondent and the said application was allowed recognising the first respondent as hereditary trustee of the subject temple under section 54 (i) of HR & CE Act.

6. In view of the fact the first respondent has been recognised as hereditary trustee of the subject temple in a subsequent order passed in M.P.No. 169 of 2021 on the file of the third respondent, the prayer sought for in the writ petition has become infructuous. The petitioner is at liberty to challenge the order dated 28.08.2021 recognising the first respondent as hereditary trustee of the subject temple in the manner known to law.



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Consequently, connected miscellaneous petition is closed.

12.11.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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To

1. The Commissioner,
Hindu Religious and Charitable
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Nungambakkam, Chennai - 600 034.
2. Joint Commissioner,
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S. SOUNTHAR, J.

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