



W.P.No.7270 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.7270 of 2017
and W.M.P.Nos.7925 and 7926 of 2017**

Sri Sudarsana Yathiraja Jeeyar
Madathipathy
Sri Yathiraja Jeeyar Mutt
Sri Pesum Perumal Sannadhi
Kuzamandal Village,
Cheyyar Taluk,
Tiruvannamalai District.

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Board,
No.119, Nungambakkam High Road,
Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Board,
Villupuram.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Board,
Tiruvannamalai.



W.P.No.7270 of 2017

4.The Sub-Collector,
Cheyyar,
Tiruvannamalai District.

5.The Thakkar/Executive Officer,
Hindu Religious and Charitable Endowments Board,
A/m.Kuzamandal Pesum Perumal Thirukovil,
Kuzamandal Village,
Cheyyar Taluk,
Tiruvannamalai District.

6.The Inspector of Police,
Dusi Police Station,
Tiruvannamalai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings of the fifth respondent dated 23.02.2017 and quash the same and issue consequential direction directing the respondents to open the lock and seal of the premises of Sri Yathiraja Jeeyar Mutt in Kuzamandal Village, Cheyyar Taluk, Tiruvannamalai District.

For Petitioner : Mr.D.Lakshmipathy

For Respondents : Mr.S.Ravichandran
Additional Government Pleader
(HR & CE)
for R1 to R5
Mr.L.Baskaran,
Government Advocate (Crl.) for R6



W.P.No.7270 of 2017

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ORDER

This Writ Petition has been filed challenging the proceedings of the fifth respondent dated 23.02.2017 and for a consequential direction to the respondents to open the lock and seal of the premises of Sri Yathiraja Jeeyar Mutt in Kuzamandal Village, Cheyyar Taluk, Tiruvannamalai District.

2. The learned counsel appearing for the petitioner submits that the petitioner is the Madathipathy of Sri Yethiraja Jeeyar Mutt. While so, the fifth respondent, vide impugned notice dated 23.02.2017, evicted the petitioner and locked the Mutt without issuing any notice or enquiry. The learned counsel further submits that for the very same relief, a suit in O.S.No.27 of 2017 has been filed before the Sub-Court, Cheyyar, by the petitioner against the respondents 2, 3 and 5.

3. Considering the submission made by the learned counsel appearing for the petitioner and the fact that the suit has been filed in O.S.No.27 of 2017 before the Sub-Court, Cheyyar, by the petitioner against



W.P.No.7270 of 2017

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the respondents 2, 3 and 5 for the very same relief, the impugned notice dated 23.02.2017 issued by the fifth respondent shall be subject to the result of the suit in O.S.No.27 of 2017 on the file of the Sub-Court, Cheyyar.

4. Accordingly, this Writ Petition is disposed of with the aforesaid observations. There shall be no order as to costs. Connected miscellaneous petitions are closed.

10.09.2024

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



W.P.No.7270 of 2017

To

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Tiruvannamalai.
4. The Sub-Collector,
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5. The Thakkar/Executive Officer,
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W.P.No.7270 of 2017

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W.P.No.7270 of 2017

10.09.2024