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W.A.(MD) Nos.104 & 105 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.A.(MD) Nos.104 & 105 of 2024
and
C.M.P.(MD) Nos.962 & 963 of 2024**

W.A.(MD) No.104 of 2024:

Arulmigu Kuthalanathaswamy Thirukoil
rep.by its Executive Officer
Courtallam, Tenkasi District

... Appellant

-vs-

1.Paramaisvam

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

3.The Joint Commissioner
The Hindu Religious and
Charitable Endowments Department
Tirunelveli

... Respondents



W.A.(MD) Nos.104 & 105 of 2024

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Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 07.09.2023, passed in W.P.(MD) No.6015 of 2020, on the file of this Court.

For Appellant : Mr.S.Manohar

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R2 & R3

W.A.(MD) No.105 of 2024:

Arulmigu Kuthalanathaswamy Thirukoil
rep.by its Executive Officer
Courtallam, Tenkasi District

... Appellant

-vs-

1.S.Kuthalingam

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

3.The Joint Commissioner
The Hindu Religious and
Charitable Endowments Department
Tirunelveli

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 07.09.2023, passed in W.P.(MD) No.6022 of 2020, on the file of this Court.



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W.A.(MD) Nos.104 & 105 of 2024

For Appellant : Mr.S.Manohar

For Respondents : Mr.S.P.Maharajan
Special Government Pleader for R2 & R3

COMMON JUDGMENT

[Judgment of the Court was made by D.KRISHNAKUMAR, J.]

These writ appeals are directed against the common order of the learned Single Judge, dated 07.09.2023, passed in W.P.(MD) Nos.6015 & 6022 of 2020.

2. Learned counsel appearing for the appellant – Temple submitted that the respondents / writ petitioners have not paid the entire default amount i.e.Rs.1,94,550/- each in three instalments and therefore, they have not complied with the orders passed by the Writ Court.

3. In view of the non-compliance of the orders passed by the Writ Court, we are not inclined to go into the merits of the matter. The appellant – Temple and the respondents 2 & 3 shall take further action in accordance with law for taking over the subject property. It is left open to the appellant – Temple to reopen the matter, if any necessity arises.



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W.A.(MD) Nos.104 & 105 of 2024

4. Accordingly, the writ appeals are closed. No costs.

Consequently, connected miscellaneous petitions are closed.

[D.K.K., J.]

[R.V., J.]

19.02.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1.The Commissioner,
The Hindu Religious and
Charitable Endowments Department,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner,
The Hindu Religious and
Charitable Endowments Department,
Tirunelveli.



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W.A.(MD) Nos.104 & 105 of 2024

D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

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W.A.(MD) Nos.104 & 105 of 2024
and
C.M.P.(MD) Nos.962 & 963 of 2024

19.02.2024