



W.P(MD)No.14285 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.02.2024

CORAM :

**THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
AND
The HON'BLE MR.JUSTICE G.ILANGO VAN**

W.P(MD)No.14285 of 2018
and W.M.P.(MD)Nos.12948 & 12949 of 2018
and 4221 of 2019

A.Eshwaran @ Murugan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowment Department, Secretariat,
St.George Fort, Chennai.

2.The District Collector,
Virudhunagar District, Virudhunagar.

3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Virudhunagar District, Virudhunagar.

.. Respondents

PRAYER: Petition under Article 226 of the Constitution of India seeking issuance of a writ of Certiorarified Mandamus to call for the records relating to the impugned notification Ve.Aa.No.93/Se.Ma.Tho.A/18 dated 26.06.2018 passed by the 3rd respondent and quash the same and



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consequently defer the issue from taking over the Arulmighu Masaniamman Dhiyana Peedam, situated at Erichanatham, Sivakasi Taluk, Virudhunagr District, for administration by the 3rd respondent.

For Petitioner : Mr.A.Muralikumar

For Respondents : Mr.P.Thilak Kumar,
Government Pleader.

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard the learned counsel for the petitioner.

2. It is submitted that the temple or the statue was constructed in the private land belonging to an old widow in the year 2016. The same is sought to be taken over by the Hindu Religious and Charitable Endowment Department. A Fit Person is appointed.

3. The family members of the said deceased widow, in whose land the said temple or the statue is erected, have already challenged the action of the respondents.



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4. In light of that, the present Public Interest Litigation would not be tenable. It is for the aggrieved persons to prosecute the proceedings as prescribed under law.

5. This Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

(S.V.G., CJ.)

(G.I., J.)

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NCC : Yes/No
Index : Yes/No
vsm



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