



W.P(MD)No.21849 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.21849 of 2024

and

W.M.P(MD)No.18515, 18516 & 18517 of 2024

K.S.Maheshwaran

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Thoothukudi.

2.The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
Thoothukudi.

3.The Inspector,
Hindu Religious & Charitable Endowments Department,
Sathankulam,
Thoothukudi District.

4. B.Kasilingam

5.V.Dhanapal

... Respondents

[R4 & R5 are impleaded vide Court dated 20.09.2024 in WMP(MD)No.18875 of 2024 in WP(MD)No.21849 of 2024 by MSQJ]



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorafied Mandamus, calling for the records relating to the impugned order of the 3rd respondent dated 23.08.2024 in Na.Ka.No.94/2023, which was served to the petitioner on 31.08.2024 and quash the same and consequently forbearing the respondents in any manner from interfering the management of Arulmigu Puliyadi Devi Sri Mariamman Thirukoil, Sathankulam, Thoothukudi District.

For Petitioner : Mr.G.Prabhu Rajadurai
for Mr.J.Parekh Kumar

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R1 to R3

: Mr.S.Anwar Sameem
for Mr.T.Antony Arulraj for R4 & R5

ORDER

The writ petition is filed challenging the impugned proceedings of the 3rd respondent dated 23.08.2024.

2. It is submitted by the learned counsel for the petitioner that the present writ petition has been filed challenging the impugned order dated 23.08.2024



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fixing the hearing date on 12.09.2024 wherein the purpose of enquiry is not set out.

3. Heard the learned counsel appearing on both side and perused the materials placed before this Court.

4. It is submitted by the learned Additional Government Pleader that the impugned notice has been sent pursuant to the orders of this Court made in W.P.(MD)No.20945 of 2023 dated 24.07.2024 wherein liberty was granted to the Assistant Commissioner, HR&CE Department to independently exercise the power under the HR&CE Act for appointing a fit person for such enquiry to be conducted.

5. Today, the learned Additional Government Pleader would submit that a fresh notice would be issued containing particulars and the subject of the enquiry.

6. In any event, it is open to the petitioner to seek any material particulars which would enable him to respond. If any such request is made, the respondent authority would furnish the particulars sought for by the petitioner.



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7. With the above observation, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petitions are closed.

25.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PJJ

To

1.The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Thoothukudi.

2.The Assistant Commissioner,
Hindu Religious & Charitable Endowments Department,
Thoothukudi.

3.The Inspector,
Hindu Religious & Charitable Endowments Department,
Sathankulam,
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MOHAMMED SHAFFIQ, J.

PJL

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