



W.P.(MD) No.29587 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.29587 of 2024

and

W.M.P.(MD) No.24978 of 2024

A.Chinnaiah

.. Petitioner

Vs.

1.The Commissioner,
Hindu Religious and
Charitable Endowments Department,
No.119, Nungambakkam High Road,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner,
Hindu Religious and
Charitable Endowments Department,
Madurai Division, Madurai-625 001.

3.The Fit Person,
A/m.Neivelinathar Ayyanar Temple,
E.Malampatti, Melur Taluk,
Madurai District

Also,
The Executive Officer,
A/m.Kalameghamperumal Temple,
Thirumohur, Othakadai, Madurai District.



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4.N.A.Chandran

5.N.Dhanabalan

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, to forbear the Respondents from initiating any further proceedings in pursuance to the common order dated 22.10.2024 of the 2nd Respondent made in O.A.No.17/2002 and O.A.No.13/2015 pending disposal of the Appeals in A.P. (e-office) No. 1031927/2024 on the file of the 1st respondent.

For Petitioner : Mr.S.Vellaichamy
For R1 & R2 : Mr.P.Subbaraj
Special Government

ORDER

The prayer in the writ petition is seeking for a mandamus to forbear the respondents from initiating further proceedings in pursuance to the order dated 22.10.2024 made by the second respondent in O.A.No. 17/2002 and O.A.No.13/2015.

2. It is submitted by the learned counsel for the petitioner that the petitioner had filed an appeal against the said order and the said appeal is



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yet to be numbered. However, in the interregnum, the respondents are attempting to handover possession to the hereditary trustees, who have been recognised under the order impugned. Therefore, he would seek a direction not to implement the order till the appeal is taken on file and orders passed by the appellate authority viz., the first respondent.

3. The learned Special Government Pleader appearing on behalf of respondents 1 and 2, on instructions, would submit that on 04.12.2024, the hereditary trustees have been put in in-charge of the temple and therefore, the order had been acted upon as of today.

4. In such circumstances, the writ petition is liable to be dismissed, as the prayer that has been sought for in the writ petition had become infructuous. Accordingly, this Writ Petition is dismissed as infructuous. However, considering the fact that the appeal had been filed by the petitioner before the first respondent, there shall be a direction to the first respondent to entertain the said appeal and hear the same on merits and in accordance with law and pass orders within a period of six months



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from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

09.12.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Commissioner,
Hindu Religious and
Charitable Endowments Department,
No.119, Nungambakkam High Road,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner,
Hindu Religious and
Charitable Endowments Department,
Madurai Division, Madurai-625 001.



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K.KUMARESH BABU, J.

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