



W.P.(MD).No.31333 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2024

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD).No.31333 of 2023

and

W.M.P(MD)No.26886 of 2023

Arulmigu Vennimadanthaiyan Sastha Kovil,
Represented by its Trustee S.Azhaguvel.

... Petitioner

Vs.

1.The Commissioner/Principal Secretary,
Hindu Religious and Charitable Endowments Department,
Chennai-600 034.

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

3.The Fit Person,
Arulmigu Vennimadanthaiyan Sastha Kovil,
Chettiyapathu, Thiuchendur Taluk,
Thoothukudi District.
Working as Executive Officer of
Arulmigu Karukkuvel Ayyanar Thirukkivil,
Therikudiyiruppu, Thiruchendur,
Thoothukudi District.

4.Ramar

5.S.Ganesan

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order, dated 24.11.2023 passed by the 2nd respondent in I.A.No.01 of 2023 in O.A.No.41 of 2021 and quash the same.

For Petitioner : Mr.M.Saravanan
for Mr.N.C.Ashok Kumar

For R1-R3 : Mr.P.Subbaraj
Special Government Pleader

For R4 : Mr.H.Arumugam

For R5 : Mr.V.Rajiv Rufus

ORDER

In this writ petition, the petitioner has challenged the impugned order, dated 24.11.2023 passed by the 2nd respondent in I.A.No.1 of 2023 filed by the 4th respondent, in O.A.No.41 of 2021 filed by the petitioner under Section 63(a) of the Hindu Religious and Charitable Endowments Act, 1959 before the 2nd respondent to declare the subject Temple, namely Arulmigu Vennimadanthaiyan Sastha Kovil as a private temple. In the said suit, the 4th respondent had filed I.A.No.1 of 2023 for appointment of an Advocate Commissioner.



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2. The learned counsel for the petitioner submits that the impugned order appointing an Advocate Commissioner to give a report was passed behind the back of the petitioner without due notice to the petitioner. It is further submitted that, now that the report has been filed by the Advocate Commissioner pursuant to the impugned order, the petitioner will file suitable objection to the report of the Advocate Commissioner before the 2nd respondent and proceed further with O.A.No.41 of 2021 filed under Section 63(a) of the Hindu Religious and Charitable Endowments Act, 1959.

3. Recording the above submission, this Writ Petition stands closed. No costs. Consequently, connected Miscellaneous Petition is closed.

01.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

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Hindu Religious and Charitable Endowments Department,
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C.SARAVANAN, J.

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