



WEB COPY



WA No. 1550 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE P. DHANABAL

W.A Nos. 1550 and 1552 of 2024

AND CMP Nos. 10858 and 10856 OF 2024

Dr. A. Harshan

S/o.V.S.Arul, SF.No.71/2A, VKP Illam, Kaliyapuram

Road, Vettaikaran Pudur, Anaimalai Tk,

Coimbatore 642129

..Appellant

Vs

1. Commissioner

HR and CE, No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 34.

2. Joint Commissioner

HR and CE, Coimbatore.

3. Shantha Sabapathy

W/o.V.P.Sabapathy Gownder, Villa No. 483, Adarsh
Palmretreat, Devarabisanahalli, Bengaluru 560 103.

..Respondents

Prayer : Writ Appeal under Clause 15 of the Letters Patent to set aside the orders dated 22.04.2024 and 26.04.2024 made in WP.No. 9011/2024.

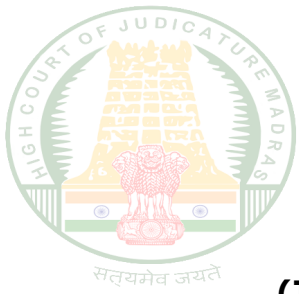
For Appellant :

For Respondent(s):

Mr.R.Prabhakar

Mr. N.R.R. Arun Natarajan,
Special Government Pleader for RR 1 and 2
Mr.T.S.Vijaya Raghavan - for R3

Judgment



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(Judgment of the Court was delivered by R.Suresh Kumar J.)

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In fact the writ petition in W.P.No.9011 of 2024 was filed by the present appellant viz., Dr.A.Harshan with a prayer for the issuance of a Writ of Mandamus directing the first respondent therein ie., the Commissioner, HR and CE Department to consider the representation given by the petitioner dated 12.08.2023 and for a further direction to the Commissioner, HR and CE Department to follow due process of law as mandated under Section 101 of the HR and CE Act, 1959.

2. During the pendency of the said writ petition, two interim orders have been passed by the learned Writ Court. The first order is dated 22.04.2024 and the second order is dated 26.04.2024. In these interim orders, some directions have been given to the writ petitioner to hand over the documents pertaining to the temple concerned to the Joint Commissioner, HR & CE Department. Aggrieved over the said interim orders passed by the Writ Court, the writ petitioner Dr.A.Harshan has filed the present intra Court appeals in W.A.Nos.1550 and 1552 of 2024.

3. It is to be noted that during the pendency of these intra Court appeals, further directions have been given by a Division Bench of this Court, whereby an Advocate Commissioner has been appointed to take inventory of the jewels and articles belonging to the temple and the Advocate Commissioner also, having complied with the direction, has filed a report.

4. However, when these issues are pending before the Division Bench in these writ appeals, in the meanwhile the very writ petition ie., W.P.No.9011 of 2024 came up for consideration before the learned Writ Court on 27.08.2024, where the learned



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Writ Court, having taken note of these developments taken place in these writ appeals before the Division Bench, was pleased to close the very writ petition itself by giving a direction to the third respondent to abide by the decision to be taken by the Division Bench in W.A.Nos.1550 and 1552 of 2024.

5. We have noted all these factors. When the main lis is disposed of as has been made in the present case by closing the writ petition by the writ Court through the order dated 27.08.2024, whatever interim order that had been passed in the writ petition should get merged with the disposal of the main writ petition itself. Therefore, the present impugned orders ie., dated 22.04.2024 and 26.04.2024 got merged with the final order of closing of the writ petition passed by the writ Court dated 27.08.2024 made in W.P.No.9011 of 2024. Therefore, we cannot proceed further in these intra Court appeals to decide or determine anything afresh as it would go beyond the scope of the writ petition, which has already been disposed of by order dated 27.08.2024.

6. In that view of the matter, we are inclined to dismiss both the writ appeals. Accordingly, both the writ appeals are dismissed. However, it is open to the appellant to work out his remedy by agitating the issue as has been raised in the main writ petition ie., W.P.No.9011 of 2024 afresh in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.K.,J.) (P.D.B.,J.)
18-08-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No



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To

1. Commissioner,
HR and CE, No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 34.
2. Joint Commissioner
HR and CE, Coimbatore.

**R.SURESH KUMAR J.
AND
P.DHANABAL J.**

KST

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