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W.P.(MD) Nos.3655 & 4539 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P.(MD) Nos.3655 & 4539 of 2025
and**

W.M.P.(MD) Nos.2586, 2587, 3264 & 3265 of 2025

W.P.(MD) No.3655 of 2025:

S.Senthilvelraja

... Petitioner

-VS-

- 1.The Commissioner
Hindu Religious and
Charitable Endowment
(Admin) Department
Nungambakkam
Chennai-600 034
- 2.The Joint Commissioner
Zonal Joint Commissioner
Hindu Religious and
Charitable Endowment Department
Sivagangai-630 561
Sivagangai District



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3.The Deputy Commissioner /
Presently functioning as
Fit Person of Arulmighu
Adaikalam Katha Ayyanar
and Padrakali Amman Temple
Madapuram
Thiruppuvanam Taluk & Post
Sivagangai District

4.The Executive Officer /
Assistant Commissioner
Arulmighu Adikalam Katha Ayyanar
and Padrakali Amman Temple
Madapuram
Thiruppuvanam Taluk & Post
Sivagangai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records in connection with impugned shop auction notification in Na.Ka.No.135/2021/A3, dated 22.01.2025, issued by the respondents 3 & 4 herein published in 'Dina Thanthi Daily', dated 23.01.2025 and quash the same as illegal.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.P.Subbaraj
Special Government Pleader



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W.P.(MD) No.4539 of 2025:

Murugan Servai

... Petitioner

-VS-

- 1.The Commissioner
Hindu Religious and
Charitable Endowment
(Admin) Department
Nungambakkam
Chennai-600 034
- 2.The Joint Commissioner
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Madapuram
Thiruppuvanam Taluk & Post
Sivagangai District
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and Padrakali Amman Temple
Madapuram
Thiruppuvanam Taluk & Post
Sivagangai District



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5.The District Collector
Sivagangai
Sivagangai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari to call for the records in connection with impugned shop auction notification in Na.Ka.No.135/2021/A3, dated 22.01.2025, issued by the respondents 3 & 4 herein published in 'Dina Thanthi Daily', dated 23.01.2025 and quash the same as illegal.

For Petitioner : Mr.S.Bharathy Kannan

For Respondents : Mr.P.Subbaraj
Special Government Pleader

COMMON ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

Admittedly, the petitioners are aliens to the auction conducted by the respondent – Temple under the provisions of the Hindu Religious and Charitable Endowments Act, 1951. The auction in question was conducted to lease out the shops belonging to the respondent – Temple.



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2. It is to be noted that the writ petition in W.P.(MD) No.3655 of 2025, which is captioned as “Public Interest Litigation”, does not fall under the characteristics of the public interest litigation. Public interest litigations are mainly focused on the issues relating to the general public. A public interest litigation must be beyond the personal interest and it must seek to solve the structural issues, social inequity and abuse of constitutional rights. Each and every dispute or the alleged irregularity cannot be brought under the umbrella of the public interest litigation. The scope of the public interest litigation cannot be expanded, which would result in causing prejudice to the parties, who are involved in the particular issue, which is raised in the case on hand.

3. The petitioner in W.P.(MD) No.3655 of 2025 had participated in the auction conducted by the respondent – Temple and the petitioner in W.P. (MD) No.4539 of 2025 had not even applied for the auction and not participated in the auction process.

4. Learned Special Government Pleader appearing for the respondents contended that the auction was conducted on 22.01.2025 and the successful bidders have taken possession of the shops on 10.02.2025.



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5. Be that as it may, when the petitioners are noway connected with the impugned auction process and the issues are relating to the conduct of auction by following due procedures, the present writ petitions are not maintainable and the same are liable to be dismissed.

6. Accordingly, the writ petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[S.M.S., J.]

[A.D.M.C., J.]

03.06.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1.The Commissioner,
Hindu Religious and
Charitable Endowment
(Admin) Department,
Nungambakkam,
Chennai-600 034.



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- 2.The Joint Commissioner,
Zonal Joint Commissioner,
Hindu Religious and
Charitable Endowment Department,
Sivagangai-630 561,
Sivagangai District.
- 3.The Deputy Commissioner /
Presently functioning as
Fit Person of Arulmighu
Adaikalam Katha Ayyanar
and Padrakali Amman Temple,
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- 4.The Executive Officer /
Assistant Commissioner,
Arulmighu Adikalam Katha Ayyanar
and Padrakali Amman Temple,
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- 5.The District Collector,
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and
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3265 of 2025

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