

N. Manoharan and Another Vs. The Joint Commissioner, Hindu Religious and Charitable Endowments Dept., Madurai

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Court : Chennai Madurai

Decided On : Mar-29-2016

Judge : B. Rajendran

Appeal No. : W.P(MD)No. 5978 of 2016 & WMP(MD)No. 5303 of 2016

Appellant : N. Manoharan and Another

Respondent : The Joint Commissioner, Hindu Religious and Charitable Endowments Dept., Madurai

Judgement :

(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 passed by the respondent in Na.Ka.No.853/2011/E1 dated 18.01.2016 quash the same and pass further orders as this Court may deem fit and proper.)

1. The petitioner has filed this Writ Petitionfor a Writ of Certiorari to call for the records pertaining to the impugned order passed by the respondent in Na.Ka.No.853/2011/E1 dated 18.01.2016 quash the same.

2. Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.

3. The contention of the petitioner is that first of all, the reference dated 31.01.2014 is no more in existence and has already been dismissed for default, against which, a revision was already filed before the Department and that has been remanded.

4. Anyway, the petitioner will also state that the order dated 23.12.2015, was passed removing the suspension of Trustee against which, the petitioner preferred a writ petition in W.P(MD)No.266 of 2016 and the interim application was dismissed against which, the writ appeal was filed in W.A(MD)No.163 of 2016 and the interim order has also been obtained.

5. Therefore, the present enquiry is only a questionable exercise. But as rightly pointed out by the learned Counsel for the respondent, this is only a show-cause notice and on that date, definitely, the order of this Court is in force. Even otherwise, the petitioner shall appear before the authority, in which, the show-cause notice was issued for non appearance of erstwhile managing trustee. Therefore, the petitioner is directed to appear before the authority concerned and explain all the details as per law.

6. With the above directions, the writ petition is dismissed. Consequently, the connected Miscellaneous petition is closed.

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