

BEFORE THE COMMISSIONER, H.R.&C.E. DEPARTMENT, CHENNAI-34.

Tuesday the 4<sup>th</sup> day of December, Two thousand and twelve.

Present : Thiru P. Dhanapal, M.A.,B.L.,  
Commissioner.

**A.P. 55/2012.**

**Between.**

K. Meenakshisundaram Pillai,  
Trustee (Administrator),  
Arulmighu Karisastha Kaarudaiyaar Thirukoil,  
Kundal, Radhapuram Taluk,  
Tirunelveli District. .. Appellant.

**And.**

- 1) The Joint Commissioner,  
H.R. & C.E.Admn. Department, Tirunelveli.
- 2) The Assistant Commissioner,  
HR & CE Admn. Dept., Tirunelveli.
- 3) Fit Person/Executive Officer,  
Arulmighu Mutharamman Temple,  
Kulasekaranpattinam,  
Tiruchendur Taluk, Tuticorin District. ... Respondents.

In the matter of Arulmighu Karisastha Kaarudaiyaar Temple,  
Kundal, Radhapuram Taluk, Tirunelveli District.

Appeal Petition filed under Section 54(4) of the Tamil Nadu  
HR&CE Act, 1959 (Tamil Nadu Act 22 of 1959) against the order dated  
4.9.2012 of the Joint Commissioner, H.R. & C.E. Admn. Department,  
Tirunelveli made in Pro.Rc.No.12049/2012-2 A2 invoking Section 54(3)  
of the Act and appointing the 3<sup>rd</sup> respondent herein as fit person to the  
above mentioned temple.

**Order in R.Dis. A.P. 55/2012 (D2) Dated : 4.12.2012.**

The above Appeal Petition having come on for final hearing before me on 20.11.2012 in the presence of M/s. Chennai Law Associates, Counsel for the Appellant after hearing their arguments and upon perusing the connected records and the matter having stood over for consideration till this day, the following order is made:-

**ORDER.**

The above appeal petition has been filed under Section 54 (4) of the Act against the order dated 4.9.2012 of the Joint Commissioner, HR&CE Admn. Dept., Tirunelveli in appointing the 3<sup>rd</sup> Respondent herein, i.e., Executive Officer, Arulmighu Mutharamman Tempe, Kulasekaranpattinam as Fit Person to the petition mentioned temple in Pro.Rc.No.12049/2012 -2 A2 dated:04.09.2012 invoking Section 54(3) of the Act.

2. The appellant is the hereditary Trustee of the temple in question. He was placed under suspension by the Joint Commissioner, HR&CE Admn. Dept., Tirunelveli vide Pro.Rc.No. 12049/2012 A2-1 dated 04.09.2012 based on certain charges framed under Section 53 (2) of the Act. Consequently, by the impugned order, the Joint Commissioner has appointed the 3<sup>rd</sup> Respondent herein as Fit Person to this temple in Pro.Rc.No.12049/2012-2 dated 04.09.2012. Aggrieved over that order the present appeal has been preferred.

3. The appellant herein filed another A.P.No.54/2012 before this forum challenging the order of suspension issued by the Joint Commissioner referred to above. After enquiry, the A.P. 54/2012 was allowed by the Commissioner by order dated 02.11.2012 and order of suspension issued by the Joint Commissioner was set aside. Since the

impugned order is only a consequential order on the order of suspension passed by the authority and in view of the order passed in A.P. 54/2012, nothing survives to be adjudicated upon against the impugned order in this appeal petition and the prayer in this appeal petition has already becomes infructuous. Accordingly the appeal petition is closed as infructuous.

/typed to dictation/

Sd. P. Dhanapal,  
Commissioner.

/true copy/by order/

Superintendent.

**To**

1. The Appellant through M/s Chennai Law Associates, Advocates, Old No.48/New No.99, Armenian Street, III Floor, Chennai 600 001.
2. The Fit Person/Executive Officer, Arulmighu Mutharamman Temple, Kulasekaranpattinam, Tiruchendur Taluk, Tutucorin District.

**Copy to**

3. The Joint Commissioner, HR & CE Admn. Department, Tirunelveli. .
4. The Inspector, H.R. & C.E. Admn. Department, Radhapuram, Tirunelveli Dist..
5. The Assistant Commissioner, HR&CE Admn.Department,Tirunelveli.
6. Extra.