

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2017

CORAM

THE HONOURABLE Mr.JUSTICE M.SATHYANARAYANAN
and
THE HONOURABLE Mr.JUSTICE N.SESHASAYEE

W.P.No.17247 of 2017
and WMP.No.18748 of 2017

1.Savithri
2.Devi

.. Petitioners

Vs.

1.The State of Tamil Nadu
Rep by the Secretary to Government
HR&CE Department
Fort St.George, Chennai – 600 009.

2.The Joint Commissioner (Additional Charge)
HR&CE Department
Villupuram.

3.The Assistant Commissioner,
HR&CE Department
Villupuram.

4.C.Sanjivi Chettiar
Hereditary Trustee
Arulmigu Vedavinayagar Temple
No.5, Netaji Road
Manjakuppam, Cuddalore.

5.The Tahsildar
Cuddalore Taluk
Cuddalore.

.. Respondents

Prayer : Writ Petition filed under Section 226 of Constitution of India
praying to issue a Writ of Certiorari, calling for the records on the file of the
second respondent relating to the impugned order dated 22.3.2017 bearing
proceedings No.Sa.Moou.Na.Ka.No.5253/2016/E2 and quash the same.

For Petitioners : Mr.Bharatha Chakravarthy
for M/s.Sai Bharath and Ilan
For Respondents : Mr.M.Maharaja
Special Govt. Pleader [RR1 to 3]
Mr. R.Sunil Kumar [R4]
Mr.A.N.Thambidurai
Special Govt. Pleader [R5]

O R D E R

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

After some arguments, the learned counsel appearing for the petitioners seeks leave of this Court to withdraw this writ petition with liberty to file a revision under Section 21 of the Tamil Nadu Hindu Religious & Charitable Endowments Act, 1959 and also prays for time to file an appeal with a further direction to dispose of the same accordingly. The learned counsel appearing for the petitioners also made an endorsement to that effect.

2.This Court heard the submissions of Mr.Bharatha Chakravarthy, learned counsel appearing for the petitioner, Mr.M.Maharaja, learned Special Government Pleader appearing for the respondents 1 to 3, Mr. R.Sunil Kumar learned counsel appearing for the fourth respondent and Mr.A.N.Thambidurai, learned Special Government Pleader appearing for the fifth respondent.

3. In the light of the endorsement made, the writ petition is dismissed as withdrawn and the petitioners are at liberty to file a revision under Section

21 of the Tamil Nadu Hindu Religious & Charitable Endowments Act, 1959 before the Commissioner, HR&CE Department, Chennai, within a period of two weeks from the date of receipt of a copy of this order and if the papers are otherwise in order, the Commissioner, HR&CE Department, shall entertain the revision, and after putting the fourth respondent on notice and affording reasonable opportunity both to the petitioners as well as the fourth respondent, shall dispose of the revision on merits and pass orders in accordance with law, within a further period of twelve weeks thereafter, and communicate the decision taken, to the petitioner as well as the fourth respondent. No costs. Consequently, connected miscellaneous petition is closed.

[M.S.N.J.,] [N.S.S.J.,]
12.09.2017
(1/2)

ds

Note : Registry is directed to return the original impugned order after due acknowledgment from the petitioners.

सत्यमेव जयते

Index : Yes / No
Internet : Yes / No

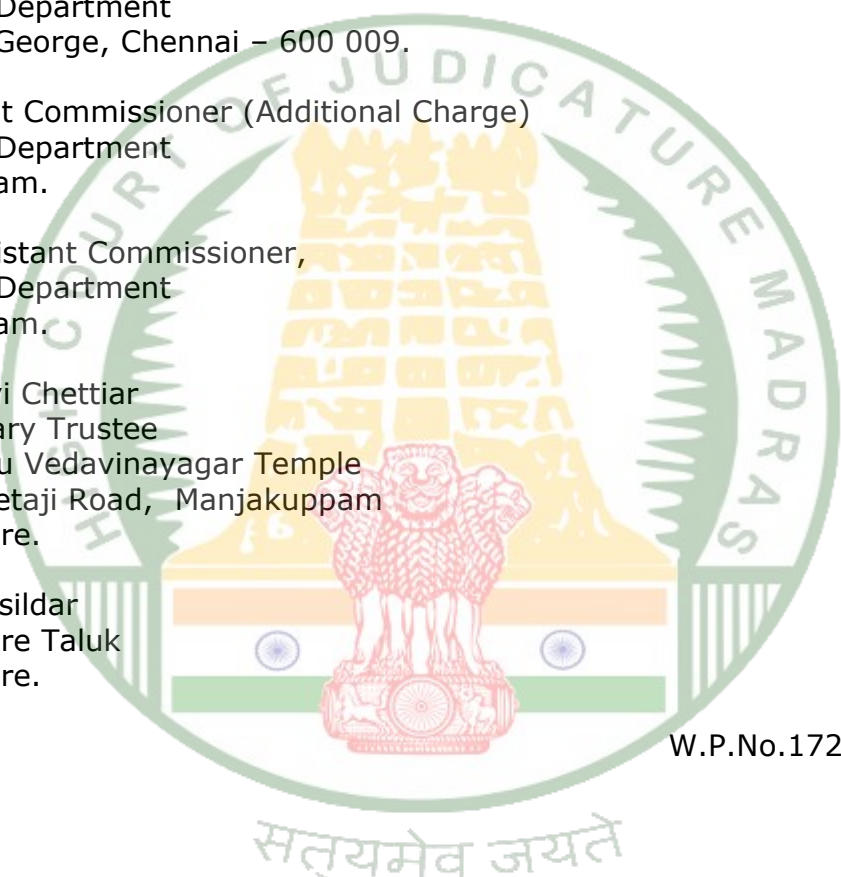
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M.SATHYANARAYANAN,J.,
and
N.SESHASAYEE,J.,

ds

To:

- 1.The Secretary to Government
HR&CE Department
Fort St.George, Chennai – 600 009.
- 2.The Joint Commissioner (Additional Charge)
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