

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.06.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No.6719 of 2018

and

W.M.P. Nos.8346 & 8347 of 2019

1.M.K.Shanmugam

2.P.K.Balasubramanian

3.D.Kumaresan

4.T.Karthikeyan

5.K.Senthilkumar

..Petitioners

Vs

1.The Government of Tamil Nadu,
Represented by Principal Secretary to Government,
Fort. st. George, Chennai -9.

2.The Commissioner,
Hindu Religious Charitable Endowment Department,
Chennai -34.

3.Joint Commissioner,
Hindu Religious Charitable Endowment Department,
Chennai -34.

4.The Fit Person, A/M.Karpaga Vinayakar,
Sivasubramania Swamy Temple.

5.President, Triplicane Senguntha Maha Sabai.

6.S.Nithyanand

.. Respondents

(R6-impleaded as per order dt.20.06.2018
in W.M.P.10921/20189 in 6719 of 2018)

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorarified
Mandamus,to call for the entire records of the 2nd Respondent
pertaining to its proceedings, Se.Mu.Na.Ka.No.19633/2017/A1

dated 11.03.2018, quash the same and direct the Petitioners to continue to act as trustees of the Temple.

For Petitioners : Mr.S.Natanarajan

For Respondents : Mr.M.Maharaja,
Special Government Pleader for R1 to R3
Mr.R.Karthikeyan for R4

No Appearance for R5
Mr.S.V.Karthikeyan for R6

O R D E R

Learned Counsel for the Petitioners submitted that the Petitioners would avail the alternative remedy to file an Appeal under Section 53 of the Tamil Nadu Hindu Religious and Endowments Act, 1959, and seeks permission of this Court to withdraw the Writ Petition to pursue the same, and he has also made an endorsement to that effect, which is recorded.

2. Accordingly, this Writ Petition is dismissed as withdrawn with the aforesaid liberty. Since the Petitioners had the benefit of an interim order of status quo on 23.03.2018 during the pendency of the Writ Petition, the same shall continue till 08.07.2019. The Appellate Authority shall not go into the question of limitation in filing the proposed appeal, if the same is presented on or before 08.07.2019. It is open to the Petitioner to apply for interim relief before the concerned authority. Consequently, connected Miscellaneous Petitions are also closed. No Costs.

Sd/-
Assistant Registrar (Insp.Cell)

//True Copy//
Sub Assistant Registrar

rkp

To

- 1.The Principal Secretary to Government,
The Government of Tamil Nadu,
Fort. St. George, Chennai -9.
- 2.The Commissioner,
Hindu Religious Charitable Endowment Department,
Chennai -34.

3.The Joint Commissioner,
Hindu Religious Charitable Endowment Department,
Chennai -34.

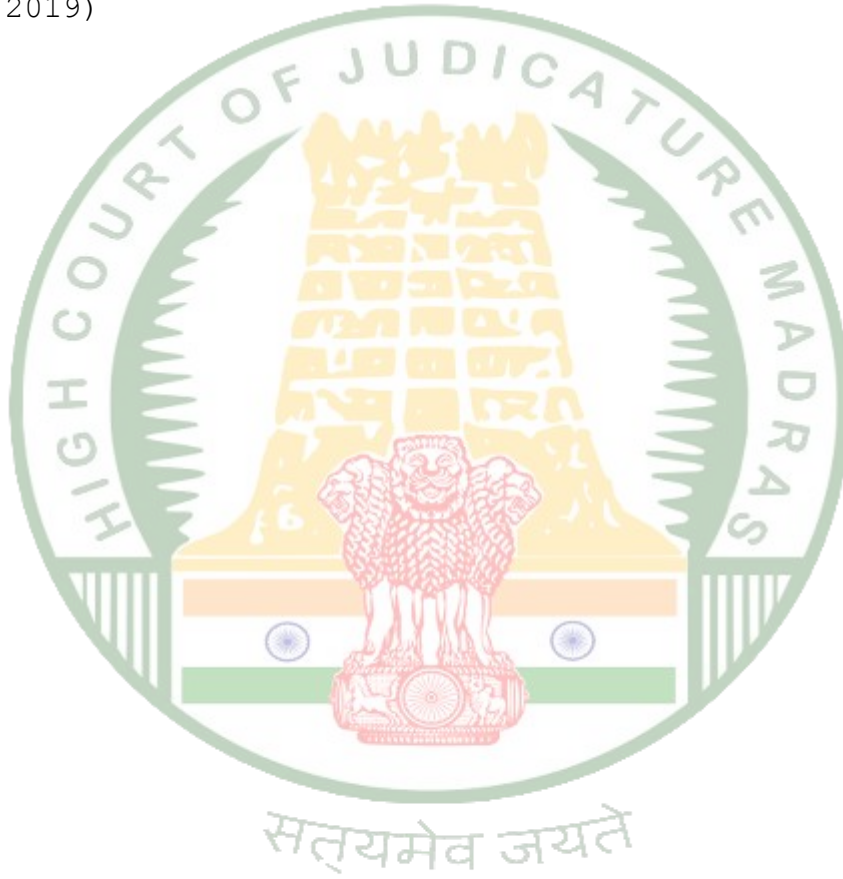
+3ccs to Mr.S.Natarajan, Advocate, S.R.No.50043
+1cc to the Government Pleader, S.R.No.50249

W.P. No.6719 of 2018
and

W.M.P. Nos.8346 & 8347 of 2019

VG II(CO)

RRS (25/06/2019)



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