

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.09.2019

CORAM:

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

W.P. No. 10679 of 2019

and

W.P. Nos. 11142 and 11146 of 2019

1. R.Venkatachalam

2. K.Vaiyapuri

3. G.Thangaraj

4. V.V.Ramasamy Chettiar

5. R.Venkatachalam Chettiar

6. P.Muthusamy Chettiar

7. S.Muthusamy Chettiar

... Petitioners

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowment Administration Department,
Chennai - 34.

2. The Assistant Commissioner
and Executive Officer,
Arulmigu Narasimma Swamy Thirukovil,
Namakkal - 637001.

... Respondents

Prayer :- Writ Petition filed under Article 226 of Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling for the records of the 1st Respondent connected with the impugned common order dated 07.08.2018 in A.P. No.36 to 42 of 2017 D2 and quash the same and direct the 2nd Respondent to refix the fair rent of the shops of the Petitioners as mentioned in the impugned order of the 2nd Respondent dated 21.06.2017 in Na.Ka.No.92 of 2017, on the basis of actual extent of land leased to the Petitioner at the present revised guideline value for the land alone.

For Petitioners

: Mrs. S. Kala

For Respondents

: Mr. M. Maharaja

Special Government Pleader

O R D E R

When it is pointed out by the Learned Special Government Pleader appearing for the Respondents that the Petitioner is entitled to prefer revision under Section 34-A (5) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, before this Court against the order impugned in the Writ Petition, Learned Counsel for the Petitioner seeks permission of this Court to withdraw this Writ Petition with liberty to resort the same and he has made an endorsement to that effect.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. It is needless to add here that the time spent by the Petitioner in prosecuting this Writ Petition from the date of its filing (19.03.2019) till the date of receipt of copy of this order, shall stand excluded while calculating the period of limitation. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

nsd/maya

(ii) Registry is directed to return the original copy of the impugned order to the Petitioner under written acknowledgement after retaining a copy of the same for record.

To

1. The Commissioner,
Hindu Religious and Charitable
Endowment Administration Department,
Chennai - 34.

2. The Assistant Commissioner
and Executive Officer,
Arulmigu Narasimma Swamy Thirukovil,
Namakkal - 637001.

+1cc to Mr.S.Kala, Advocate, S.R.No. 81664
+1cc to the Government Pleader, S.R.No. 82469

W.P. No. 10679 of 2019

NM(CO)
GN(30/09/2019)