

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2019

CORAM

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

W.P. No. 25021 of 2018

and

W.M.P. No. 29061 of 2018

and

W.M.P. Nos. 17809 and 18029 of 2019

Thendral Colony Welfare Association,
Represented by its Secretary,
Sri Balamurugan Temple,
3rd Street,
Thendral Colony,
Anna Nagar West,
Chennai - 600 040.

... Petitioner

-vs-

1. The Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam High Road,
Nungambakkam,
Chennai - 600 034.

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam High Road,
Nungambakkam,
Chennai - 600 034.

3. Arulmigu Balamurugan Thirukkoil,
Rep. by its Fit Person,
Thendral Nagar,
Anna Nagar West,
Chennai - 600 040.
in WP.No. 25021 of 2018)

... Respondents

(R3 impleaded vide order dated 05.07.2019
in W.M.P. No. 18956 of 2019)

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Certiorari,
calling for the records of the Second Respondent with respect to

impugned order passed in Sa.Mu.Na.Ka.No. 6811/2017/A1 dated 27.08.2018, quash the same.

For Petitioners: Mr. M.L. Ramesh

For Respondents: Mr. M. Maharaja,
Special Government Pleader
(for R1 & R2) (H.R & CE)

Mr. S.D. Ramalingam (for R3)

O R D E R

When it is pointed out by the Learned Special Government Pleader appearing for the First and Second Respondents that the Petitioner has got an effective alternative remedy by way of filing a petition for revision under Section 21 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, to challenge the order impugned in this Writ Petition, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition with liberty to resort to the same and he has made an endorsement to that effect, which is recorded.

2. Accordingly, the Writ Petition is dismissed as withdrawn granting such liberty. The time spent by the Petitioner in prosecuting this Writ Petition from the date of its filing (19.09.2018) till the date of receipt of copy of this order, shall stand excluded while calculating the period of limitation for filing the Revision Petition. It is needless to add here that if such an Revision Petition is filed and is otherwise in order, the Revisional Authority after affording full opportunity of hearing to the parties concerned in consonance with the principles of natural justice and the prescribed procedure shall consider the each of the contentions raised by them in such Petition and pass a reasoned order on merits in accordance with law and communicate the decision taken to them. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam High Road,
Nungambakkam,
Chennai - 600 034.
 2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam High Road,
Nungambakkam,
Chennai - 600 034.
- +1cc to Mr.M.L.Ramesh, Advocate, S.R.No. 64529
+1cc to Mr.S.D.Ramalingam, Advocate, S.R.No. 64933
+1cc to the Government Pleader HR & CE, S.R.No. 65194

W.P. No. 25021 of 2018

NR(CO)
GN(19/08/2019)