



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2019

CORAM

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

W.P. No. 32797 of 2019

and

W.M.P. Nos. 33222 & 33224 of 2019

Upendran

... Petitioner

Vs.

1. The Commissioner

Hindu Religious and Charitable Endowment Board
Uthamar Gandhi Salai
Nungambakkam
Chennai - 600 034.

2. The Joint Commissioner cum

The Executive Officer
Arulmighu Devi Karumariamman Thirukovil
Thiruverkadu
Chennai - 600 077.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issue of Writ of Certiorari, to call records pertaining to the proceedings of the Second Respondent in Na.Ka. No. 281/2011/D1 dated 05.11.2019 and to quash the same as illegal, incompetent and ultravires.

For Petitioner : Mr. K. Suthan

For Respondents: Mr. M. Maharaja (For R1)
Special Government Pleader (HR &CE)
Mr. Ashokmenon (For R2)

O R D E R

The contract awarded to the Petitioner by the Second Respondent for supply of coconuts was cancelled by order in Na.Ka.No.281/2011/D1 dated 05.11.2019, which is challenged in this Writ Petition. It is brought to notice by the Respondents that subsequently, fresh tender calling for offers had been issued and the contract has been awarded to the successful



bidder and as such, it would not be possible to resume the contract to the Petitioner, even if he succeeds in the Writ Petition.

2. In that backdrop, Learned Counsel for the Petitioner seeks permission of this Court to withdraw this Writ Petition and he has made an endorsement to that effect, which is recorded.

3. Accordingly, the Writ Petition is dismissed as withdrawn. It is clarified that no views has been expressed by this Court on the merits of the rival contentions of the parties and that they are not precluded from working out their remedies for necessary relief before the competent forum in the manner recognized by law. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

maya/arb
To

1. The Commissioner
Hindu Religious and Charitable Endowment Board
Uthamar Gandhi Salai
Nungambakkam
Chennai - 600 034.

2. The Joint Commissioner cum
The Executive Officer
Arulmighu Devi Karumariamman Thirukovil
Thiruverkadu
Chennai - 600 077.

+2cc to Mr. Ashokmenon, Advocate SR.99896
+1cc to Mr. K. Suthan, Advocate SR.100254

W.P. No. 32797 of 2019

RSI (CO)
CB(02/01/2020)