

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2020

CORAM

THE HONOURABLE Mr. JUSTICE ABDUL QUDDHOSE

W.P.No.1963 and 1968 of 2012 and
M.P.No.1 and 1 of 2012 in W.P.No.1963 and 1968 of 2012
and M.P. No.1 of 2013 in W.P.No.1963 of 2012.

W.P.No.1963 of 2012:

N.Vengadam

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
No.119, Uthamar Gandhi Road,
Nungambakkam High Road,
Chennai-34.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department,
Salem - 1.

3. K.Sampath

W.P.No.1968 of 2012:

N.Vengadam

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
No.119, Uthamar Gandhi Road,
Nungambakkam High Road,
Chennai-34.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department,
Salem - 1.

3. Sivasankaran
 4. Rajendran
 5. Jayacharan @ Jayachandran
 6. Raja
 7. Paramasivam (Deceased)
 8. Sumathi
 9. Kalaiyarasan
 10. Gomathi
 11. Thirunavukkarasu
 12. Thillaikkarasu
 13. Revathi
- (R8 to R13 are substituted as per order dated 09.10.2017 in W.M.P. 28717/2016)

.... Respondents

Prayer in W.P.No.1963 of 2012: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the notice dated 18.01.2012 issued by the first respondent in R.P.No.4 of 2012, dated 18.01.2012 issued by the first respondent herein from proceeding with the enquiry in R.P.no.4 of 2012.

Prayer in W.P.No.1968 of 2012: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the notice dated 09.01.2012 issued by the first respondent in R.P.No.2 of 2012 and quash the same and forbear the first respondent herein from proceeding with the enquiry in R.P.No.2 of 2012 dated 09.01.2012.

For Petitioners : Mr.P.Mani (in both W.P.s')

For Respondents : Mr.R.Venkatesan - For R1 & R2
Govt. Advocate (HR & CE)
(In both W.P.s')
Mr.A.Esakkiappan - For R3 to R6

(In W.P.No.1968 of 2012)
M/s.Profex Associates - For R3
(In W.P.No.1963 of 2012)

COMMON ORDER

These Writ Petitions have been filed challenging the summons issued by the first respondent in R.P.Nos.2 and 4 of 2012 respectively. It is now brought to the notice of this Court by the learned counsel for the respondents 3 to 7 that they have decided to withdraw the review petitions in R.P.Nos.2 & 4 of 2012 and accordingly, they have sent a letter to the first respondent on 07.01.2020. The said letter is also placed before this Court.

2. Heard Mr.P.Mani, learned counsel for the petitioner, Mr.R.Venkatesan, Government Advocate appearing on behalf of the respondents 1 and 2 in both the writ petitions, Mr.A.Esakkiappan, the learned counsel appearing for the respondents 3 to 6 in W.P.No.1968 of 2012.

3. According to the learned counsel for the petitioner, despite the letter given by the respondents 3 to 7, till date the review petitions have not been withdrawn in accordance with the letter given by the respondents 3 to 7.

4. In view of the submissions made by the learned counsel appearing for the respondents 3 to 7 and after recording the letter dated 07.01.2020 given to the first respondent seeking to withdraw the review petitions in R.P.Nos.2 and 4 of 2012, this Court directs the first respondent to close the said review petitions in R.P.Nos.2 and 4 of 2012 respectively as withdrawn. Further, the first respondent is directed to act in accordance with the letter of the respondents 3 to 7 in the writ petitions.

5. Since R.P.Nos. 2 and 4 of 2012 are to be withdrawn, nothing survives for further adjudication in this matter. Accordingly, recording the submissions made by the learned counsel for the respondents 3 to 7, these writ petitions are closed. Consequently, connected miscellaneous petitions are closed. No costs.

s/d-
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

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To

1. The Commissioner,
Hindu Religious and Charitable Endowment
Department,
No.119, Uthamar Gandhi Road,
Nungambakkam High Road,
Chennai-34.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department,
Salem - 1.

+1 CC to The Govt. Pleader (HR & CE) sr 7615.

+1 CC to Mr.P.Mani, Advocate sr 6953.

+2 Ccs to Mr.A.Esakkiappan, Advocate sr 7026.

W.P.No.1963 and 1968 of 2012 and
M.P.No.1 and 1 of 2012 in W.P.No.1963 and 1968 of 2012
and M.P. No.1 of 2013 in W.P.No.1963 of 2012.

CA(CO)
SP(05/03/2020)



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