



IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED : 28.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

and

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

W.A.No.142 of 2014 and M.P. No.1 of 2014

1. The Commissioner,
Hindu Religious & Charitable
Endowments Department,
Nungambakkam High Road,
Chennai - 34.

2. The Joint Commissioner,
Hindu Religious & Charitable
Endowments Department,
Nungambakkam High Road,
Chennai-34.

... Appellants

versus

Sri Audikesava Perumal Peyalwar Devasthanam,
Mylapore, Chennai-4,
rep. by its Board of Trustees,
1.N.C.Sridhar, Chairman
2.C.Rangachari
3.I.V.Ananthakumari
4.Ummidi Sudhakar
5.Nathella Narayana Gupta
6.M.N.Parthasarathy Battachariar
7.S.Kesavan Battachariar
8.S.Kesavan @ Ravi Battachariar
9.S.Srithar Battachariar
10.S.Venkatakrisnan Battachariar
11.V.Guruvayurappan Battachariar

... Respondents

Prayer:- Appeal filed under Clause 15 of the Letters Patent against the order of this Court made in W.P.No.24113 of 2011 dated 08.06.2012.

W.P.No.24113 of 2011

Writ Petition is filed under Article 226 of Constitution of India for issuance of a writ in the nature of Certiorari calling for the records pertaining to the impugned show cause notice made in Na.Ka.No.8946/2011 BC Dated 26.09.2011 on the file of the second respondent and quash the same as illegal, void, without jurisdiction and ultravires.



For Appellants : Mr.T.Arunkumar,
Government Advocate

For Respondents : Mr.K.Narasimhan for R1 to R3

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JUDGMENT

(Judgment of this Court was delivered by T.RAJA,J.)

When the matter is taken up for hearing, Mr.T.Arunkumar, learned Government Advocate appearing for the appellants, by way of filing an affidavit dated 21.06.2021, sought permission to withdraw the appeal with liberty to the appellants to proceed against the Trustees in accordance with law.

2.Since the learned Single Judge has quashed the Show Cause Notice issued by the Joint Commissioner as the same has been passed without jurisdiction, this writ appeal is dismissed as withdrawn granting liberty to the appellants to proceed against the Trustees in accordance with law. Consequently, connected M.P. is closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vga

To

1. The Commissioner,
Hindu Religious & Charitable Endowments Department,
Nungambakkam High Road, Chennai - 34.
2. The Joint Commissioner,
Hindu Religious & Charitable Endowments Department,
Nungambakkam High Road, Chennai - 34.

+1cc to the Government Pleader, HR & CE S.R.No.29781
+1cc to the Government Pleader, S.R.No.29824

W.A.No.142 of 2014 and M.P. No.1 of 2014

VSN-II(CO)
CT/11/08/2021