



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2021

CORAM

THE HON'BLE MR. JUSTICE M.SUNDAR

W.P(MD) No.12167 of 2016

T.R.Ramakodi Guptha.

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious & Charitable Endowments Board,
Uthamarkoil, Tolgate, Pichantorkoil,
Trichy District.

2.The Inspector of Police,
Somarasampettai Police Station,
Trichy,
Trichy District.

3.Sri Rajarethinam,
4.P.Rajendran,
5.Renganathan,
6.G.V.Tamilazhan,
7.Thangadurai,
8.G.V.Saravanan,
9.M.S.Chandrasekaran,
10.Maruthamuthu,
11.Shanmugam,

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the 1st & 2nd respondents to take necessary action against the respondents 3 to 11 for interfering with the petitioners right of hereditary trusteeship and forebear the 3 to 11 respondents from interfering in the day to day affairs and management of the A/M Mariamman Temple, Allithurai, Srirangam Taluk, Trichy District.

For Petitioner	:	Mr.M.Eswaran, for Mr.N.R.Balaji
For Respondents	:	Mr.T.Amjadkhan, Government Advocate for R1 & R2 Mr.M.Sankaralingam, for Mr.M.Saravanan for R4 to R6, R8 & R10 No Appearance for R3, R7, R9 & R11



O R D E R

Read this in conjunction with and in continuation of earlier proceedings made in the previous listing (yesterday), dated 01.12.2021, which reads as follows:

Read this in conjunction with and in continuation of earlier proceedings made in previous listings on 26.11.2021, 29.11.2021 and 30.11.2021.

2. Notwithstanding the above proceedings, today Mr.M.Eswaran, learned Counsel submits that he is representing Mr.N.R.Balaji, learned Counsel on record for the writ petitioner. Learned Counsel notwithstanding earlier proceedings ie., proceedings reporting 'No Instructions', submits that he now has instructions to withdraw the captioned writ petition and would be circulating a letter to the Registry in this Court. Learned Counsel requests a day's accommodation to do so. Request acceded to.

3. List on **02.12.2021.** If the letter is circulated, the Registry is directed to list the matter under the caption 'FOR WITHDRAWAL'.

2. To be noted, the same set of learned counsel who was before me yesterday are before me today also.

3. Be that as it may, pursuant to the proceedings made yesterday, learned counsel for writ petitioner, has filed an affidavit sworn to by writ petitioner instead of a letter. The contents of five paragraphs affidavit of writ petitioner reads as follows:

'Affidavit of the Petitioner

I T.R.Ramakodi Gupta, S/o.T.M.Ramachandra Chettiayar, Aged 75, Hindu sincerely affirm and state on oath as follows:

1. I submit that I am the petitioner in the above W.P.(MD)No.12167 of 2016.

2. I also submit that I am well acquainted with the facts of the case.

3. I also submit that I have filed a writ of Manadamus on the file of this Hon'ble High Court.

4. I also submit that in the aforesaid matter in this writ petition has been settled out of Court between the petitioner and respondents.

5. It is therefore prayed that the Hon'ble Court may be pleased to dismiss this writ petition as withdrawn and thus render justice.'



4. Learned counsel for writ petitioner reiterates the contents of the aforementioned affidavit in the hearing.

5. In the light of the aforementioned affidavit of the writ petitioner and the reiteration of the contents of the same by the learned counsel for writ petitioner, captioned writ petition is dismissed as withdrawn. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsm

To

1.The Joint Commissioner,
Hindu Religious & Charitable Endowments Board,
Uthamarkoil, Tolgate, Pichantorkoil,
Trichy District.

2.The Inspector of Police,
Somarasampettai Police Station,
Trichy,
Trichy District.

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-37294[F] dated 03/12/2021)

+1 CC to M/s.SPL GP (SR-37209[F] dated 03/12/2021)

W.P(MD)No.12167 of 2016

02.12.2021

NSN(CO)

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