



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2022

CORAM :

THE HON'BLE MR.MUNISHWAR NATH BHANDARI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.No.1111of 2022

Sri Kandeewarar Arakkattalai,
rep. by its President K.Vasunathan,
D.No.1/550, T.P.N.Garden,
K.Chettipalayam,
Muthannampalayam Post,
Tiruppur.

.. Appellant/Petitioner

Vs

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tiruppur.

2.The Fit Person,
A/M Kandeewarar Temple,
Kandian Koil,
Office at The Executive Officer,
A/M Vishweswarasamy and Veeragavaperumal Temples,
Tiruppur Taluk and District.

.. Respondents
/Respondents

Prayer: Appeal under Clause 15 of the Letters Patent against the order dated 15.02.2022 in W.P.No.2534 of 2022.

Prayer in WP.No.2534 of 2022:Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned signed on 29.11.2021 bearing Muu.Mu.9780/2021/A3/dated 26.11.2021 on the file of the 1st Respondent herein, quash the same and consequently direct the 1st respondent herein to number the application dated 04.07.2019 filed by the petitioner and dispose the same on merits within a stipulated time.



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For the Appellant : Mr.V.P.K.Gowtham

For the Respondents : Mr.Yashwanth
Addl. Government Pleader

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

After arguing the appeal at length, learned counsel for the appellant prays for withdrawal of the writ appeal in view of the liberty given by the learned Single Judge to make a fresh application.

2. The only prayer by learned counsel for the appellant is to direct the respondents that while fresh application is preferred by the appellant, it may not be decided with pre-determination on bias and with liberty to seek amendment in the Trust Deed that may also be carried out by the appellant/writ petitioner. The liberty for it may be given.

3. In view of the above, the writ appeal is dismissed as withdrawn with liberty as prayed for by the appellant/writ petitioner. There will be no order as to costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

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To:

1.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tiruppur.



2.The Fit Person,
A/M Kandeewarar Temple,
Kandian Koil,
Office at The Executive Officer,
A/M Vishweswarasamy and Veeragavaperumal Temples,
Tiruppur Taluk and District.

+1cc to Mr.V.P.K.Gowtham, Advocate SR.No.29062
+1cc to the Government Pleader, SR.No.29790

W.A.No.1111 of 2022

RSI (CO)
CB(02/05/2022)