



W.P. No. 29016 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

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

W.P. No. 29016 of 2022

and

W.M.P. Nos. 28301 and 38302 of 2022

K.K.Prabhu

... Petitioner

-VS-

1. The Commissioner
Hindu Religious and Charitable Endowments Department
No.119, Uthamar Gandhi Salai
Nungambakkam
Chennai - 600 034.
2. The Joint Commissioner
Hindu Religious and Charitable Endowments Department
Erode Division, D.No.20F, Chinnamuthu Veethi-1
Perundurai Road
Erode - 638 001.
3. Arulmigu Mariamman Temple
Rep. by Hereditary Trustee
Karattadipalayam Pudhur
Lakkampatti
Gobichettipalayam
Erode District.
4. K.R.Selvakumar
5. The Assistant Commissioner
Hindu Religious and Charitable Endowments Department
Erode Division, Ex-Service Man Complex
Erode - 638 001.

... Respondents



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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the records, calling for the entire records pertaining to the order dated 25.12.2021 of the Second Respondent made in Mu.Mu. No. 9713/2021/A1 and quash the same.

For Petitioner : Mr. V.Srikanth

For Respondents : Mr. N.R.R.Arun Natarajan
Special Government Pleader
(For R1 to R3 and R5)

Ms. V.S.Usha Rani (For R4)

ORDER

Heard Mr. V.Srikanth, Learned Counsel for the Petitioner, Mr. N.R.R.Arun Natarajan, Learned Special Government Pleader who takes notice for the First to Third and Fifth Respondents and Ms. V.S.Usha Rani, Learned Counsel for the Fourth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. When it was pointed that the Petitioner has got an effective alternative remedy to challenge the Order in Ni. Mu. No. 9713/2021/Aa1 dated 25.12.2021 passed by the Second Respondent, which is impugned in this Writ Petition, by filing revision under Section 21 of the Tamil Nadu Hindu Religious and



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Charitable Endowments Act, 1959, before the First Respondent, Learned

Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with liberty to resort to the aforesaid procedure and he has made an endorsement to that effect in the court record.

In view of the same, the Writ Petition is dismissed as withdrawn granting such liberty. It is made clear that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of the Writ Petition, viz., 17.10.2022, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the connected Miscellaneous Petitions are closed. No costs.

03.11.2022

Maya

Index: Yes/No

Note: (i) Issue order copy by 15.11.2022

(ii) Registry is directed to return the impugned order under written acknowledgment after retaining a copy of the same for record.



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To

WEB COPY

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P.D. AUDIKESAVALU, J.

Maya

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