



W.P. (MD) No. 21381 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2022

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W.P. (MD) No. 21381 of 2018

and

W.M.P. (MD) Nos. 19245 to 19247 of 2018

Palanichamy

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religions and Charitable Endowment Department,
Nungambakkam,
Chennai – 34.
- 2.The Joint Commissioner,
Hindu Religions and Charitable Endowment Department,
Uthamar Kovil Campus,
No.1, Tollgate,
Trichy – 621 216.
- 3.The Assistant Commissioner,
Hindu Religions and Charitable Endowment Department,
Neelagireeswarar Thoppu Backside,
Tiruvanaikaval,
Trichy – 620 005.
- 4.S.Ravichandran,
- 5.Fit Person/The Executive Officer,
Arulmigu Pidari Ayyanar Temple,

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K.Sthanoor,
Office Arulmigu Anjaneyar Temple,
Kallukuzhi,
Trichy – 20.

(R5 is Impleaded Vide Court Order dated 06.07.2022
in W.M.P.(MD) No.3489 of 2022 in W.P.(MD) No.
21381 of 2018 by MNKJ)

6.The Assistant Commissioner of Police,
Land Grabing Cell,
Trichy City.

(R6 is Suo Motu Impleaded Vide Court Order
dated 06.07.2022 in WP(MD).21381/2018
by MNKJ)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India,
to issue a Writ of Certiorari, to call for the records relating to the impugned
order passed by the 3rd respondent, dated 17.09.2018 and quash the same.

For Petitioner : Mr. C.Jeganathan
For Respondents : Mr. P.Subbaraj
Special Government Pleader
For R1 to R3

Mrs. S.Devasena
For R4

Dr. Ramesh Mahadev
Standing Counsel
For R5

Ms.M.Aasha
Government Advocate (Criminal Side)
for R6



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ORDER

Heard Mr. C.Jeganathan, Learned Counsel for the Petitioner, Mr. P.Subbaraj, Learned Special Government Pleader for the First to Third Respondents, Mrs. S.Devasena, Learned Counsel for the Fourth Respondent, Dr. Ramesh Mahadev, Learned Counsel for the Fifth Respondent and Ms. M.Aasha, Learned Government Advocate (Criminal Side) appearing for the Sixth Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner challenges the Minutes of the Meeting conducted by the Third Respondent appointing a *Poosari* in the place of the Petitioner, who claims hereditary right to Arulmigu Pidari Ayyanar Temple, K.Sthanoor, Kallukuzhi, Trichy – 20.

3. When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the order dated 17.09.2018 passed by the Third Respondent, which is impugned in this Writ Petition, by filing an application under Section 63 of the Tamil Nadu Hindu Religious and



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Charitable Endowments Act, 1959, before the concerned Joint Commissioner, 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., 10.10.2022, 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.

21.12.2022

Index : Yes/No

Internet : Yes/No

sj

Note: Issue order copy by 28.12.2022

To

1. The Commissioner,
Hindu Religious and Charitable
Endowment Board, Chennai.

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2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Board, T.V.Kovil, Trichy.
3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Board, T.V.Kovil, Trichy -5.
4. The Inspector,
Hindu Religious and Charitable
Endowment Board, Mannachanallur,
Trichy East, Trichy.



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P.D.AUDIKESAVALU,J.

sj

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