



W.P. (MD) No. 28345 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2022

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU

W.P. (MD) No. 28345 of 2022

and

W.M.P.(MD)Nos. 22392 & 22393 of 2022

V.Saravanan

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowment Board, Chennai.
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.
5. M.Balasubramanian
6. M.Rajayan

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W.P. (MD) No. 28345 of 2022

7. T.Mahalingam

8. S.Murugesan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned proceedings issued by the Second Respondent in O.S.No. 15/2006/A4/ dated 10.01.2018 and quash the same.

For Petitioner : Mr. J.Vishnu

For R-1 to R-4 : Mr. P.Subbaraj

Special Government Pleader

ORDER

Heard Mr. J.Vishnu, Learned Counsel for the Petitioner and Mr.P.Subbaraj, Learned Special Government Pleader for the First to Fourth Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the proceedings in O.S. No. 15/2006/A4 dated 10.01.2018 passed by the Second Respondent, which is impugned in



W.P. (MD) No. 28345 of 2022

this Writ Petition, by filing an appeal before the Commissioner under Section 69 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, 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In view of the same, the Writ Petition is dismissed as withdrawn granting such liberty.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., 13.12.2022, 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.

19.12.2022

Index : Yes/No

Internet : Yes/No

pkn

Note: (i) Issue order copy by 22.12.2022.

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



W.P. (MD) No. 28345 of 2022

WEB COPY TO:

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Endowment Board, T.V.Kovil, Trichy.
3. The Assistant Commissioner,
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WEB COPY



W.P. (MD) No. 28345 of 2022

P.D.AUDIKESAVALU,J.

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W.P. (MD) No. 28345 of 2022

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