



WEB COPY



W.P. No. 29550 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2023

CORAM

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

W.P. No. 29550 of 2023

and

W.M.P. Nos. 29180 and 29182 of 2023

T.Murugasamy Gounder

... Petitioner

-VS-

1. The Commissioner,
HR & CE,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai – 600 034.

2. The Joint Commissioner,
HR & CE,
Thiruppur,
Thiruppur District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the Second Respondent passed in செ.மு.ந.க.எண். 1083-60/2023/அ1 dated 07.09.2023 and quash the same as illegal and consequently direct the Respondent to appoint me or my family embers as the hereditary trustee on the basis of my application in O.A. No. 9624 of 2023 dated 13.09.2023.



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W.P. No. 29550 of 2023

For Petitioner : Mr. R.Harinath
For Respondents : Mr. K.Karthikeyan,
Government Advocate

ORDER

Heard Mr. R.Harinath, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate, who takes notice for the 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 Se. Mu. Na. Ka. No. 1083-60/2023/A1 dated 07.09.2023 passed by the Second Respondent, which is impugned in this Writ Petition, by filing Revision Petition under Section 21 of the Tamil Nadu Hindu Religious and 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.



W.P. No. 29550 of 2023

In view of the same, the Writ Petition is dismissed as withdrawn granting such liberty.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., 04.10.2023, 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.

13.10.2023

Index: Yes/No

NCC: Yes/No

Note: Issue order copy by 30.10.2023.

vjt

To

1. The Commissioner,
HR & CE,
119, Uthamar Gandhi Salai,
Nungambakkam,
Chennai – 600 034.
2. The Joint Commissioner,
HR & CE,
Thiruppur,
Thiruppur District.



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W.P. No. 29550 of 2023

P.D. AUDIKESAVALU, J.

vjt

W.P. No. 29550 of 2023

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