



W.P. (MD) No. 4263 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 4263 of 2021

and

W.M.P. (MD) Nos.3454 and 3455 of 2021

Sitaraman AB

... Petitioner

Vs.

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

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment,
Tirunelveli.

3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowment,
Tirunelveli.

4. The Executive Officer,
Arulmigu Kailasanathar Swamy Temple,
Vadakku Ariyanayagipuram,
Tirunelveli District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorari, challenging the impugned notice issued by the 4th respondent dated 17.12.2020.



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For Petitioner : Mr. T.Selvan
For Respondents : Mr. T.Villavankothai
Additional Government Pleader

ORDER

Heard Mr. T.Selvan, Learned Counsel for the Petitioner and Mr. T.Villavankothai, Learned Counsel for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that without serving any order appointing a Fit Person to the Hariharputhira Sastha Temple of the Fourth Respondent, the impugned notice dated 17.12.2022 has been issued by the Fourth Respondent calling upon the Petitioner to hand over the charge of the said Temple, which is challenged in this Writ Petition.

3. In response to the said contention, Learned Special Government Pleader appearing for the Respondents has produced a copy of the Proceedings dated 24.08.2018 passed by the Third Respondent appointing Fit Person for the said Temple and Learned Counsel for the Petitioner



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acknowledges its receipt.

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4. In view of the subsequent events, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition reserving the rights to file a revision under Section 21-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 against the impugned order before the concerned authority and he has made an endorsement to that effect in the court record.

In the result, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. Consequently, the connected Miscellaneous Petitions are closed. No costs.

05.01.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

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Note: Issue order copy by 30.01.2023.

To

1. The Commissioner,
Hindu Religious and Charitable
Endowment,

3/5



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Chennai.

2. The Joint Commissionner,
Hindu Religious and Charitable
Endowment,
Tirunelveli.
3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowment,
Tirunelveli.
4. The Executive Officer,
Arulmigu Kailasanathar Swamy Temple,
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P.D.AUDIKESAVALU,J.

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