



W.P. (MD) o. 3915 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 27.02.2023

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

W.P.(MD) No. 3915 of 2023

Senthilvel

... Petitioner

Vs.

- 1.The Joint Commissioner,
Hindu Religious and Endowment Board,
Thanjavur Town and District.
- 2.The Assistant Commissioner,
Hindu Religious and Endowment Board,
Pudukottai Town and District.
- 3.The Inspector of Police,
Hindu Religious and Endowment Board,
Pudukottai Town and District.

4.Ayyappan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issue of Writ of Certiorarified Mandamus, to call for the records of the second respondent in Na.Ka.No.3316/2022/E1 dated 17.02.2023 and quash teh same and apss a direction directing the respondents to cancel the appointment of the fourth respondent as poosari of Arulmigu Kattariamman Thirukovil situated at Aathankaraipatti in Pudukkottai District.



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For Petitioner : Mr. M.Karunanithi
For R1 & R2 : Mr. P.Subbaraj
Special Government Pleader
For R3 : Ms. M.Aasha
Government Advocate (Crl.Side)

ORDER

Heard Mr. M.Karunanithi, Learned Counsel appearing for the Petitioner, Mr. Mr. P.Subbaraj, Learned Special Government Pleader for the First and Second Respondents and Ms. M.Aasha, Learned Government Advocate (Crl.Side) for the Third Respondent, 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 Na.Ka.No.3316/2022/E1 dated 07.02.2023 passed by the Third Respondent, which is impugned in this Writ Petition, by filing a Revision Petition under Section 21-A of the Hindu Religious and Charitable Endowments Act, 1959, before the Joint Commissioner of the Hindu Religious and Charitable Endowments Department, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with



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liberty to resort to the aforesaid procedure. He has also made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn granting such liberty.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 this Writ Petition, viz., 21.02.2023, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. No costs.

27.02.2023

NCC : Yes/No

Internet : Yes /No

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Note: (i) Issue order copy by 05.03.2023.

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

To

- 1.The Joint Commissioner,
Hindu Religious and Endowment Board,
Thanjavur Town and District.
- 2.The Assistant Commissioner,
Hindu Religious and Endowment Board,
Pudukottai Town and District.
- 3.The Inspector of Police,
Hindu Religious and Endowment Board,
Pudukottai Town and District.

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P.D. AUDIKESAVALU, J.

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