



W.P.(MD) No.5713 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.06.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.5713 of 2020

and

W.M.P(MD) Nos.4982 and 4983 of 2020 and 1832 of 2022

S.Ponnu Pandian

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable
Endowments (Admin) Department,
Chennai-34.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments (Admin) Department,
Madurai-625 001.

3.P.Karthick @ Karthikeyan
S/o.Late Pandi
(R3 is impleaded vide Court order dated 27.04.2022 in
W.M.P(MD) No.1831 of 2022)

4.Manikandan Poosari
S/o.Ponnan Poosari
(R4 is impleaded vide Court order dated 26.06.2023 in
W.M.P(MD) No.2023 of 2022)

... Respondents



W.P.(MD) No.5713 of 2020

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorari, calling for the records pertaining to the impugned proceedings issued by the second respondent in Na.Ka.No.3538/2020/Aa1, dated 11.03.2020 in pursuant to the impugned order passed by the first respondent in A.P.No.81 of 2018, dated 22.02.2020, quash the same.

For Petitioner : Mr.VR.Shanmuganathan
For R1 & R2 : Mr.P.Subbaraj
Special Government Pleader
For R3 : Mr.Mohammed Ismail

ORDER

This writ petition is filed for issuance of writ of certiorari calling for the records pertaining to the impugned proceedings issued by the second respondent in Na.Ka.No.3538/2020/Aa1, dated 11.03.2020, in pursuant to the impugned order passed by the first respondent in A.P.No. 81 of 2018, dated 22.02.2020 and quash the same.



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2. Heard the learned counsel appearing on either and perused the records.

3. In the light of the fact that already suit has been filed by the other trustees in O.S.No.207 of 2022 on the file of the Sub Court, Melur, this Writ Petition is disposed of by giving liberty to the petitioner herein to file a suit challenging the impugned order. It is needless to state that the period that has been taken for contesting this writ petition will be waived when calculating the period of limitation.

4. This Court had already granted an interim order in the above writ petition. The same shall be continued till the filing of the suit. The suit shall be filed within a period of three weeks from the date of receipt of a copy of this order. If it is not filed, the interim order granted by this Court shall stand vacated automatically. No costs. Consequently, connected miscellaneous petitions are closed.

26.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
cp



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P.T.ASHA, J.

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To

- 1.The Commissioner,
Hindu Religious and Charitable
Endowments (Admin) Department,
Chennai-34.
- 2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments (Admin) Department,
Madurai-625 001.

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