



W.P. (MD) No. 9476 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 04.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEVALU

W.P. (MD) No. 9476 of 2021

and

W.M.P. (MD) Nos. 7202 and 7203 of 2021

S.Naganatha Durai

... Petitioner

Vs.

The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in Se.Mu.Na.Ka.No.1340/2021/Aa1, dated 23.04.2021 on the file of the respondent and quash the same as illegal, ultravires and unconstitutional and consequently direct the respondent, his men, subordinates and agents not to interfere with the petitioner's possession and administration as Administrator cum trustee, Arulmigu Angala Parameswari Temple, Urapuli Village, Paramakudy Taluk, Ramanathapuram District.



W.P. (MD) No. 9476 of 2021

For Petitioners	: Mr. S.Ramesh
For Respondent	: Mr. P.Subbaraj, Special Government Pleader

ORDER

Heard Mr. S.Ramesh, learned Counsel for the Petitioner and Mr. P.Subbaraj, Learned Special Government Pleader for the 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 Se.Mu.Na.Ka.No. 1340/2021/Aa1, dated 23.04.2021 passed by the Respondent, which is impugned in this Writ Petition, by filing revision under Section 21-A of the Hindu Religious and Charitable Endowments Act, 1959 before the concerned authority, 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. (MD) No. 9476 of 2021

In view of the same, the Writ Petition is dismissed as withdrawn, granting such liberty.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., 11.05.2021, 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.

04.01.2023

Index : Yes/No
Internet : Yes/No
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Note: (i) Issue order copy by 30.01.2023

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

TO:

The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai.

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W.P. (MD) No. 9476 of 2021

P.D.AUDIKESAVALU,J.

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W.P. (MD) No. 9476 of 2021

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