



W.P. (MD) No. 12130 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU

W.P. (MD) No. 12130 of 2020

and

W.M.P. (MD) Nos. 10440, 10436, 10438 of 2020

1.Arulmigu Saneeswaran Temple,
Viswakarma Pothu Nala Poonga Trust,
Represented through one of its Trustee,
Veluchamy, 64, Mazeeth Road,
Sivagangai.

2.M.Veluchamy

3.G.Radhakrishnan

... Petitioners

Vs.

1.The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment,
Sivagangai District, Sivagangai.

2.The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment,
Paramakudi, Ramanathapuram District.

3.Thakkar /Executive Officer,
Arulmigu Muthumariamman Temple,
Meenakshipuram, Karaikudi Taluk,
Sivagangai District.

4.R.Babu

...Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to



W.P. (MD) No. 12130 of 2020

issue a writ of Certiorarified Mandamus, to call for the records in Se.Mu.Na.Ka.No.1917/2020 AA1 dated 17.06.2020 on the file of the first respondent and quash the same as illegal, ultravires and unconstitutional and in consequence restrain the respondents from interfering with the possession and administration of the Arulmigu Saneeswaran Temple, Mazeeth Road, Sivagangai.

For Petitioners : Mr.S.Ramesh
For R1 and R2 : Mr.T.Villavan Kothai
Additional Government Pleader
For R3 : Mr.C.Gughaseelarupan

ORDER

Heard Mr. S.Ramesh, Learned Counsel appearing for the Petitioners and Mr. T.Villavan Kothai, Learned Additional Government Pleader for the First and Second Respondents and Mr. C.Gughaseelarupan, Learned Counsel 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 Petitioners have got an effective alternative remedy to challenge the Proceedings in Se.Mu.Na.Ka.No. 1917/2020 AA1 dated 17.06.2020 passed by the First Respondent, which is



W.P. (MD) No. 12130 of 2020

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 Petitioners seeks permission of the Court to withdraw the Writ Petition with liberty to resort to the aforesaid procedure and he has also made an endorsement to that effect in the court record.

In view of the same, the Writ Petition is dismissed as withdrawn granting such liberty.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 this Writ Petition, viz., 03.09.2020, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, connected Miscellaneous Petitions are closed. No costs.

04.01.2023
2/2

NCC : Yes/No

Index : Yes/No

Internet : Yes/No

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Note: Issue order copy on 30.01.2023



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W.P. (MD) No. 12130 of 2020

P.D.AUDIKESAVALU,J.

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To

- 1.The Joint Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment,
Sivagangai District, Sivagangai.
- 2.The Assistant Commissioner,
Tamil Nadu Hindu Religious and Charitable Endowment,
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W.P. (MD) No. 12130 of 2020

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2/2