



W.P. (MD) No. 2974 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 2974 of 2021
and
W.M.P. (MD) No. 2411 of 2021

V.Santhanakrishnan

... Petitioner

Vs.

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Madurai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments,
Pandian Nagar, Dindigul.
- 3.The Fit Person,
Arulmigu Kaalatheeswarar Temple,
Sanathi Street, Dindigul Town,
Dindigul.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorari, calling for the records and quash the order passed by the second respondent in order in Sa.Mu.Na.Ka.5588/2017 dated 04.12.2020 forbearing the respondents from interfering in the administration of the Ayyappa temple belonging to the Dindigul Vattara Ayyappa Bakthargal Sangam, Dindigul Society 35/69.

For Petitioner	: Mr. S.Madhavan
For R1 to R3	: Mr. P.Subbaraj Special Government Pleader
For R4	: Mr. A.K.Baskara Pandian

ORDER

Heard Mr. S.Madhavan, Learned Counsel for the Petitioner, Mr. P.Subbaraj, Learned Special Government Pleader for the First to Third Respondents and Mr. A.K.Baskara Pandian, Learned Counsel for the Fourth Respondent and perused the materials placed on record apart from the pleadings of the parties.



W.P. (MD) No. 2974 of 2021

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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. 5588/2017/A2, dated 04.12.2020 passed by the Second 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 authorities, 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.

In view of the same, the Writ Petition is dismissed as withdrawn, granting such liberty.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., 16.12.2020, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the connected Miscellaneous Petition is closed. No costs.



W.P. (MD) No. 2974 of 2021

WEB COPY

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.



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To:

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P.D.AUDIKESAVALU,J.

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