



W.P. (MD) No. 23359 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2023

WEB COPY

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU

W.P. (MD) No. 23359 of 2022
and
W.M.P. (MD) No. 17432 of 2022

V.Ilanchezhiyan

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
119, Uthamar Gandhi Salai,
Chennai – 600 034.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
B1 Road, Ellis Nagar,
Madurai – 625 016,
Madurai District.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
No.18, Nachi Street,
Virudhunagar – 626 001,
Virudhunagar District.
- 4.The Executive Officer,
Arulmigu Koodamudaya Iyyanar Temple,
Kalayarkuruchi,
Sivakasi Taluk,
Virudhunagar District.



W.P. (MD) No. 23359 of 2022

5.A.Muruganandam

... Respondents

(R5 is impleaded vide order of this Court dated 04.01.2023 in W.M.P. (MD) No. 18273 of 2022.)

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorari, to call for the records of the impugned order passed by the 3rd respondent in Se.Mu.Na.Ka.No.179/2013/A5 dated 14.09.2022 and quash the same as illegal.

For Petitioner : Mr. C.Guhaseelarupan

For Respondents : Mr. P.Subbaraj

Special Government Pleader (R1 to R3)

Mr.P.Mahendran (R4)

Mr.A.Sivasubramanian (R5)

ORDER

When it was pointed out that the Petitioner has got an effective alternative remedy to challenge the Proceedings in Se.Mu.Na.Ka.No. 179/2013/A5 dated 14.09.2022 passed by the Third Respondent, which is impugned in this Writ Petition, by filing an appeal under Section 21-A of the Hindu Religious and Charitable Endowments Act, 1959, before the Joint Commissioner of the Hindu Religious and Charitable Endowments



W.P. (MD) No. 23359 of 2022

Department, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition with 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In fine, the Writ Petition is dismissed as withdrawn granting such liberty.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 for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of filing of this Writ Petition, viz., 30.09.2022, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, connected Miscellaneous Petition is closed. No costs.

NCC : Yes/No
Index : Yes/No
SM

04.01.2023
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TO:



W.P. (MD) No. 23359 of 2022

P.D.AUDIKESAVALU,J.

SM

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W.P. (MD) No. 23359 of 2022

04.01.2023

4/4