



WEB COPY



W.P. (MD) No. 644 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2023

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 644 of 2023

and

W.M.P.(MD)No. 645 of 2023

N.Perumal Konar

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruchirappalli.

3.The Executive Officer,
Arulmighu Sedal Mariamman Temple,
Beema Nagar,
Tiruchirappalli - 620 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned notice dated 11.07.2022 issued by the 3rd respondent to petitioner pertaining to Arulmighu Mariyamman Temple, Pirattiyur west village, Trichy west Taluk, Trichy District and quash the same as illegal.



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For Petitioner : Mr. P.Ganapathi Subramanian
For Respondents : Mr. P.Subbaraj
Special Government Pleader

ORDER

Heard Mr. P.Ganapathi Subramanian, Learned Counsel for the Petitioner and Mr. P.Subbaraj, Learned Special Government Pleader, who takes notice for the Respondents, and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that without serving any order appointing a Fit Person to the Arulmighu Mariyamman Temple, Pirattiyur West village, Trichy West Taluk, Trichy District of the Third Respondent, the impugned notice dated 11.07.2022 has been issued by the Third Respondent calling upon the Petitioner to hand over the charge of the said Temple, which is challenged in this Writ Petition.



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3. In response to the said contention, Learned Special Government Pleader appearing for the Respondents has produced copies of the Proceedings dated 08.12.2021 in Se.Mu.Na.Ka. No.79726/2021-37/yu1 passed by the First Respondent and the Proceedings dated 14.03.2022 in Na.Ka.No.5367/2021-2/a2 passed by the Second Respondent appointing Fit Person for the said Temple and Learned Counsel for the Petitioner acknowledges its receipt.

4. In view of the subsequent events, Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition reserving the rights to file a revision under Section 21-A of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 against the impugned order before the concerned authority and he has made an endorsement to that effect in the court record.



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In the result, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. Consequently, the connected Miscellaneous Petition is closed. No costs.

11.01.2023

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NCC : Yes/No

Index : Yes/No

Note: (i) Issue order copy by 30.01.2023.

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

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Tiruchirappalli.
- 3.The Executive Officer,
Arulmighu Sedal Mariamman Temple,
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P.D.AUDIKESAVALU,J.

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