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W.P. No. 4445 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

**W.P. No. 4445 of 2024
and
W.M.P. No. 4798 of 2024**

T.Vairamoorthy

... Petitioner

-VS-

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Neela South Street,
Nagapattinam - 611 001.
2. The Executive Officer,
Arulmigu Kayoroganaswamy and Neelayatachiamman Thirukovil,
Nagapattinam, ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the records on the file of the First Respondent in Pa. Ma. No. 111/2023/E2 dated 01.02.2024 and quash the same and consequently direct the First Respondent to provide opportunity of hearing.

For Petitioner : Mr. P.Kannan Kumar

For Respondents : Mr. K.Karthikeyan,
Government Advocate



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ORDER

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Heard Mr. P.Kannan Kumar, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate, who takes notice for the Respondents, 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 Pa. Ma. No. 111/2023 dated 01.02.2024 passed by the First Respondent, which is impugned in this Writ Petition, by filing revision under Section 21 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, before the Commissioner, Hindu Religious and Charitable Endowments Department of Government of Tamil Nadu, 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In fine, the Writ Petition is dismissed as withdrawn granting such liberty.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.,



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20.02.2024, 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.

23.02.2024

Index: Yes/No

NCC: Yes/No

Note: (i) Issue order copy by 22.04.2024.

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

vjt

To

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Neela South Street,
Nagapattinam - 611 001.
2. The Executive Officer,
Arulmigu Kayoroganaswamy and Neelayatachiamman Thirukovil,
Nagapattinam,



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P.D. AUDIKESAVALU, J.

vjt

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