



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-07-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 25900 of 2026

and WMP No.28288 of 2026

1. Latha @ kUttiammal
No.7e, Perumal Koil Kulakkarai Street,
Villivakkam, Chennai - 600049.
2. Bhavani
No.7f, Permal Koil Kulakkarai Street,
Villivakkam, Chennai - 600049.
3. Krishnaveni
No.7d, Perumal Kovil Kulakkarai Street,
Villivakkam, Chennai - 600049.

..Petitioner(s)

Vs

1. The Commissioner
Hindu Religious and Charitable Endowments
Department, chennai.
2. The Joint Commissioner
Hindu Religious and Charitable Endowments
Department, chennai zone II, No.209, Jawaharlal
Nehru road, arumbakkam, chennai-600106.
3. The Assistant Commissioner
Hindu Religious and Charitable Endowments
Department, chennai zone-I.



4. The Assistant Commissioner
Hindu Religious and Charitable Endowments
Department, chennai zone-II.

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5. The Executive Officer
Arulmigu sowmiya damodara perumal temple,
villivakkam, chennai - 600049.
6. The Inspector of Police
Villivakkam police station, chennai-600049.

..Respondent(s)

PRAYER: The Writ Petition is filed under Article 226 of the Constitution of India seeking the issuance of a Writ of Mandamus directing the 2nd respondent to consider and dispose of the petition dated 30.06.2026 filed by the petitioners to set aside the ex-parte final order dated 04.06.2026 passed in M.P.No.22 of 2025 by the 2nd respondent on its own merits, within a time frame to be fixed by this Court and consequently direct the 4th and 5th respondents not to take any coercive steps in pursuant to the ex-parte final order dated 04.06.2026 passed in M.P.No.22 of 2025 until disposal of the set aside petition.

For Petitioner(s): Mr. P.Pongowthamkumar

For Respondent(s): Mr.M.Veerabathran Prasanth

Government Counsel for R1 to R4

Mr.Durai Gunasekaran

Government Advocate (Crl.Side) for R6

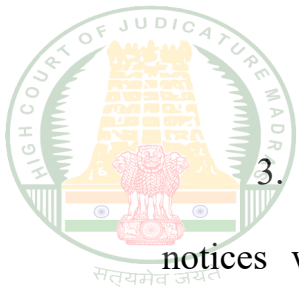
Mr.N.Velmurugan for R5



ORDER

The present Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the 2nd respondent to consider and dispose of the petition dated 30.06.2026 filed by the petitioners for setting aside the *ex parte* final order dated 04.06.2026 passed in M.P. No.22 of 2025, on its own merits, within a time frame to be fixed by this Court, and consequently directing respondent Nos.4 and 5 not to initiate or continue any coercive proceedings pursuant to the said *ex parte* final order until the disposal of the petition for setting aside the same.

2. According to the petitioners, the impugned *ex parte* order came to be passed without affording them a fair and reasonable opportunity of being heard, in violation of the principles of natural justice. Immediately upon acquiring knowledge of the said order, the petitioners filed an application before the 2nd respondent seeking to set aside the *ex parte* order. The said application is stated to be pending consideration. In the meantime, respondent Nos.4 and 5 are allegedly attempting to enforce the *ex parte* order by initiating coercive measures, thereby causing serious prejudice and irreparable injury to the petitioners.



3. The learned counsel appearing for the respondents submitted that notices were duly issued fixing the enquiry on 22.07.2025. Though the petitioners failed to appear on the said date, they participated in the enquiry held on 31.07.2025. However, they failed to appear for the subsequent hearings held on 28.08.2025 and 17.03.2026. In view of their repeated non-appearance despite sufficient opportunities, the 2nd respondent proceeded to pass the impugned ex parte order.

4. Upon consideration of the materials available on record, this Court finds that the petitioners were afforded adequate and sufficient opportunities to participate in the proceedings. The records reveal that the petitioners had, in fact, participated in the enquiry conducted on 31.07.2025 but thereafter remained absent on the subsequent hearing dates without sufficient cause. Hence, it cannot be contended that the impugned order was passed in violation of the principles of natural justice.

5. In the above circumstances, this Court is of the considered view that the petitioners are not entitled to the relief sought for in the present Writ Petition. Moreover, an efficacious statutory appellate remedy is available to the petitioners for challenging the impugned order. Without exhausting the said alternative remedy, the Writ jurisdiction of this Court cannot ordinarily be



invoked. Accordingly, this Writ Petition is dismissed. However, it is open to the petitioners to prefer an appeal, in the manner known to law, within a period of four (4) weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

06-07-2026

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To

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Hindu Religious and Charitable Endowments
Department, chennai.
2. The Joint Commissioner
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Department, chennai zone II, No.209, Jawaharlal
Nehru road, arumbakkam, chennai-600106.
3. The Assistant Commissioner
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Department, Chennai Zone-I.
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6. The Inspector of Police
Villivakkam Police Station, Chennai-600049.



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KRISHNAN RAMASAMY, J.

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