



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:03.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.19105 of 2016

and

W.M.P(MD)No.13800 of 2016

N.Sathan

... Petitioner

Vs.

The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai,SivagangaiDistrict.

...Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, to call for the records relating to the impugned order passed by the respondent vide Na.Ka.No.7884/2014/Aa1, dated 16.09.2016 and quash the same as illegal.

For Petitioner : Mr.S.Kameswaran

For Respondent : Mr.V.Muruganandham,
Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition challenging the order, dated 16.09.2016, passed by the Joint Commissioner, HR & CE, Sivagangai District under Section 53(2) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959, removing the petitioner from Hereditary Trusteeship.

2. Against the order passed by the Joint Commissioner under Section 53(2) of the HR & CE Act, an appeal will lie before the Commissioner under Section 53(5) of the Act. Without availing the alternative remedy, the petitioner has filed this Writ Petitioner.



3. Hence, this Writ Petition is dismissed. However, liberty is given to the petitioner to file an appeal before the Commissioner, if he is so advised. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To
The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sivagangai, Sivagangai District.

Copy to:
The Section Officer,
ER Section, Madurai Bench of Madras High Court,
Madurai

+1 cc to MR.S.KAMESWARAN, Advocate Sr.NO.57883

+1 cc to Special Government Pleader Sr.NO.58262

W.P (MD) No.19105 of 2016
03.10.2016

SMA/GSV-PM/SAR-III/06/10/2016 :2P/5C