



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.19224 of 2016

and

W.M.P(MD)Nos.13876 & 13877 of 2016

Tmt.Lakshmi Ravindran

...Petitioner

Vs.

1.The Commissioner of Hindu Religious

and Charitable Endowments,

Hindu Religious and Charitable Endowments Department,

Nungampakkam High Road,

Chennai-34.

2.The Joint Commissioner of

Hindu Religious and Charitable Endowments,

Hindu Religious and Charitable Endowments Department,

Madurai - 625 001.

3.The Joint Commissioner/Executive Officer,

Arulmigu Meenakshi Sundareswarar Thirukoil,

South Aadi Street,

Meenakshi Amman Temple,

Madurai - 625 001.

4.The Assistant Commissioner of

Hindu Religious and Charitable Endowments,

Hindu Religious and Charitable Endowments Department,

Madurai - 625 001.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records in pursuant to the impugned order passed by the 2nd respondent in Miscellaneous Petition Na.Ka.No.4614/2016/E1/dated 01.08.2016 and quash the same and consequently forbearing the respondents from interfering with the peaceful possession of the petitioner's property, situated at T.S.No.10/2 Old R.S.No.176/2 to the extent of 35 cents (15260 sq. ft) Ponmeni Villalge, Madurai South Taluk, Madurai District.

For Petitioner : Mr.M.Saravanakumar

For R-1, 2 & 4 : Mr.N.S.Karthikeyan,

Additional Government Pleader

For R-3

: Mr.K.Govindarajan

ORDER

The petitioner has filed this Writ Petition challenging the order passed by the Joint Commissioner, HR & CE Department, Madurai, under Section 78 of the HR & CE Act.

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2. Against the order passed by the Joint Commissioner, an appeal lies before the Commissioner, HR & CE, Department, under Section 21 of the Act. Hence, this Writ Petition is not maintainable.

3. In the result, the Writ Petition is dismissed. However, liberty is given to the petitioner to file an appeal before the Commissioner, HR & CE Department, within a period of four weeks from today. Till the petitioner files an appeal before the Commissioner, HR & CE Department, the second respondent should not disturb the petitioner's possession. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar(CS)

To

1.The Commissioner of Hindu Religious
and Charitable Endowments,
Hindu Religious and Charitable Endowments Department,
Nungampakkam High Road, Chennai-34.

2.The Joint Commissioner of
Hindu Religious and Charitable Endowments,
Hindu Religious and Charitable Endowments Department,
Madurai - 625 001.

3.The Joint Commissioner/Executive Officer,
Arulmigu Meenakshi Sundareswarar Thirukoil,
South Aadi Street, Meenakshi Amman Temple,
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4.The Assistant Commissioner of
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Hindu Religious and Charitable Endowments Department,
Madurai - 625 001.

+1cc to Mr.Saravanakumar, Advocate in SR.58171

+1cc to the Special Government Pleader in SR.59210

W.P (MD) No.19224 of 2016

04.10.2016