



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:04.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.21227 of 2016

and

W.M.P(MD)No.15174 of 2016

N.Lakshmi

... Petitioner

Vs.

1.The Joint Commissioner(Administration),
H.R & C.E Department, Sreirengam,
Tiruchirappalli-6.

2.The Executive Officer,
Arulmighu Uthamarkoil Temple,
Pitchandar Koil,
Mannanchanallur Taluk,
Tiruchirappalli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records culminated in the impugned order in M.P.No.24 of 2015, dated 28.09.2016 passed by the 1st respondent and quash the same as illegal, unenforceable, ultravires without jurisdiction, without authority and directing the respondents by way of Mandamus not to interfere with the petitioner's peaceful possession and enjoyment of the property comprised in S.F.No.62/8 measuring to an extent of Ac.0.03 cent situated in Bikshandarkoil Village, Mannanchanallur Taluk, Tiruchirappalli District in any manner whatsoever.

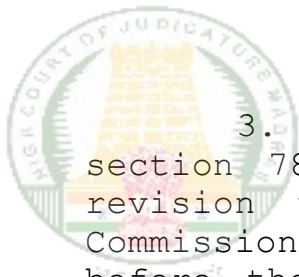
For Petitioner : Mr.Shankar Murali

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

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

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



3. Against the order passed by the Joint Commissioner under section 78 of the HR & CE Act, the petitioner has to file a revision under Section 21 of the HR & CE Act, before the Commissioner, HR & CE Department. Without filing a revision before the Commissioner, the petitioner cannot maintain a Writ Petition.

4. In the result, the Writ Petition is dismissed. No Costs. However, liberty is given to the petitioner to file a revision before the Commissioner, HR & CE Department. The petitioner is given two weeks time to file a revision, from the date of receipt of a copy of this order. Till then, the respondents should not take any steps to evict the petitioner. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar

To

1.The Joint Commissioner(Administration),
H.R & C.E Department, Srengam, Tiruchirappalli-6.

2.The Executive Officer,
Arulmighu Uthamarkoil Temple,
Pitchandar Koil, Mannanchanallur Taluk,
Tiruchirappalli District.

+1 cc to M/s.K.S.Shankar Murali, Advocate in SR.No.65942/16

+1 cc to The Special Government Pleader in SR.No.66270/16

Copy to:

The Section Officer,
ER & VR Section,
Madurai Bench of Madras High Court, Madurai.

PM

CSL/MPA/SAR-J/07.11.2016 :2P/6C

W.P(MD)No.21227 of 2016

04.11.2016