



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P.(MD)No.6455 of 2014
and M.P(MD)No.1 of 2014 &
W.M.P(MD)No.8634 of 2017

K.Subramanian

.. Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
119, Uthamar Gandhi Salai,
Chennai - 600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Palayankottai,
Tirunelveli.

3. The Executive Officer,
Arulmigu Sri Perumvampudayar
Sastha Thirukkovil,
Rajakkamangalam,
Valliyoore Post - 627 117,
Tirunelveli District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned proceedings passed by the second respondent in Na.Ka.No.6663/2012/E3, dated 25.02.2014 and quash the same as illegal and forbearing the respondents from interfering with the peaceful functioning and service activities of Sri Peruvembudayar Sastha Thirukovil Annathana Trust.

For Petitioner : Mr.P.Subbiah

For RR 1 & 2 : Mr.T.S.Mohammed Mohideen,
Additional Government Pleader.

For R - 3 : No appearance

**ORDER****[Order of the Court was made by G.R.SWAMINATHAN, J.]**

The petitioner herein questions the proceeding, dated 25.02.2014 issued by the second respondent herein, calling upon the writ petitioner to vacate from the premises in question.

2.A mere reading of the impugned order would show that the statutory procedure under the Tamil Nadu Hindu Religious and Charitable Endowments Act has not been followed. On this ground, we quash the impugned order. The matter is remitted to file of the second respondent to pass appropriate orders in accordance with the procedure set out under the Tamil Nadu Hindu Religious and Charitable Endowments Act.

3.The Writ Petition is allowed as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Protocol)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
119, Uthamar Gandhi Salai,
Chennai - 600 034.
2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Palayankottai, Tirunelveli.
3. The Executive Officer,
Arulmigu Sri Perumvampudayar Sastha Thirukkivil,
Rajakkamangalam,
Valliyoor Post - 627 117,
Tirunelveli District.

+ 1 CC TO Mr.P.SUBBIAH, ADVOCATE IN SR No. 67577

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 68366

PS/KM

TE/GT/SAR-II : 09/08/2017 : 2P/6C

W.P. (MD) No. 6455 of 2014
and M.P (MD) No. 1 of 2014 &
W.M.P (MD) No. 8634 of 2017
25.07.2017