

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.05.2018

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.12565 of 2018

and

W.M.P.Nos.14718 and 14719 of 2018

Sri Anjaneyar Ramdev Trust
(Hanuman Mandir)
Represented by its Trustee
Dhanraj C. Shah
Son of Sunnilal Ji
No.83, V33, Ko.11 Street,
Choolai, Chennai 12.

..Petitioner

.. Vs ..

- 1.The Commissioner
Hindu Religious and Charitable Endowments Board
Nungambakkam, Chennai.
- 2.The Joint Commissioner
Hindu Religious and Charitable Endowments Board
Nungambakkam, Chennai.
- 3.The Fit Person
Arulmighu Sundararaja Perumal
and Anjaneyaswamy Thirukoil
Choolai, Chennai - 12.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus after calling for the records in proceedings Se.Mu.Na.Ka.No.6616/2011/A1 dated 20.07.2011, on the file of the 1st respondent and quash the same as illegal, incompetent and without jurisdiction and further permit the petitioner to continue the administration of Sri Anjeneyar Temple (Hanuman Mandir) Situated at No.85, V.V.Koil Street, Choolai, Chennai 12.

For Petitioner : M/s.R.Poornima

For Respondents : Mr.Maharaja
Special Government Pleader

O R D E R

By mutual consent of both sides, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The Writ Petition has been filed challenging the impugned order, wherein the Fit Person was appointed to the petitioner Trust.

3.The Grievances of the learned counsel for the petitioner is that, earlier a Writ Petition was filed and withdrawn and liberty was also given to challenge the order appointing the Fit Person.

4.Mr.Maharaja, learned Special Government Pleader representing the respondents stated that no Revision which is provided under the Statute has been filed though claimed by the learned counsel for the petitioner.

5.At any rate, Section 47 of the Hindu Religious and Charitable Endowment Act provides that a Revision can be preferred before the Joint Commissioner as against the order appointing a fit person. When there is an alternate effective remedy, the petitioner has to exhaust such remedy before coming to this Court under Article 226 of the Constitution of India.

6.Consequently, the Writ Petition is disposed of. However, if the petitioner has filed any Revision, the respondents are directed to take up and dispose of the same on merits. If it had not been filed, the revision is to be filed on or before 30.06.2018 and the same should be disposed of by the concerned Authorities on or before 30.09.2018. Opportunity also shall be given to the petitioner to represent before the said Authorities during the hearing of the said Revision. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar/AR (Rules)

//True Copy//

Sub Assistant Registrar

gsa/sai

To

1.The Commissioner

Hindu Religious and Charitable Endowments Board
Nungambakkam, Chennai.

2.The Joint Commissioner
Hindu Religious and Charitable Endowments Board
Nungambakkam, Chennai.

3.The Fit Person
Arulmighu Sundararaja Perumal
and Anjaneyaswamy Thirukoil
Choolai, Chennai - 12.

+1cc to the Special Government Pleader (HR & CE), S.R.No.33850

W.P.No.12565 of 2018

SJ-II(CO)
CS/07/06/18



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