



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.2830 of 2018

and

W.M.P (MD) Nos.2987 and 2988 of 2018

R.Vellaisamy

... Petitioner

Vs.

1.The Commissioner,
Office of the Commissioner,
Department of Hindu Religious and Charitable
Endowment, Chennai 34.

2.The Joint Commissioner,
Office of the Joint Commissioner,
Department of Hindu Religious and Charitable
Endowment, Sivagangai, Sivagangai District.

3.The Executive Officer,
Arulmighu Chokkanathasamy Temple,
Aruppukottai Town and Taluk,
Virudhunagar District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, to call for the records relating to the impugned order passed by the third respondent dated 29.01.2018 and quash the same.

For Petitioner	: Mr.V.Perumal
For Respondents 1&2	: Mr.J.Padmavathidevi, Special Government Pleader.
For 3 rd Respondent	: Mr.P.Mahendran Standing Counsel

ORDER

This writ petition has been filed challenging the order dated 27.06.2017 passed by the Joint Commissioner, under Section 80 of the Hindu Religious and Charitable Endowments Act, 1959.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Admittedly, there is an appeal remedy available before the Commissioner, HR & CE as against the order of the Joint



Commissioner. The petitioner without exhausting such remedy cannot maintain the present writ petition. Accordingly, the writ petition is dismissed.

3. At this juncture, learned counsel appearing for the petitioner submitted that the petitioner has already sent appeal to the first respondent by means of a registered post on 24.07.2017.

4. In the above circumstances, it is open to the petitioner to pursue the appeal and get suitable orders from the Commissioner, HR & CE. No costs. Consequently, W.M.P (MD) Nos. 2987 and 2988 of 2018 are closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,
Office of the Commissioner,
Department of Hindu Religious and Charitable
Endowment, Chennai 34.

2. The Joint Commissioner,
Office of the Joint Commissioner,
Department of Hindu Religious and Charitable
Endowment, Sivagangai, Sivagangai District.

+1cc to M/S.P.MAHENDRAN, Advocate SR.No.48461.

+1cc to M/S.V.PERUMAL, Advocate SR.No.48202.

+1cc to Special Government Pleader in SR.No.48625.

Writ Petition (MD) No.2830 of 2018
and
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13.02.2018

sms

SDS/JC/SAR 4/26.02.2018/2P/6C