



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.3902 of 2018

and

W.M.P.(MD)No.4042 of 2018

Chellammal

... Petitioner

-Vs-

1.The Joint Commissioner,
Hindu Religions and Charitable
Endowments Department,
Tirunelveli.

2.The Joint Commissioner,
Executive Officer,
Arulmigu Subramaniya Swamy Thirukovil,
Tiruchendur, Tuticorin District.

3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nagercoil, Kanyakumari District.

4.T.Paramachandiran

... 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 relating to the impugned order passed by the first respondent in M.P.No.92 of 2017, dated 12.02.2018 and quash the same and consequently direct the first respondent to conduct fresh disposal within the time fixed by this Court.

For Petitioner : Mr.N.Madhava Govindan

For R1 and R3 : Mr.Aayiram K.Selva Kumar,
Additional Government Pleader.

For R2 : Mr.Muthugeethayan

For R4 : No Appearance

ORDER

This Writ Petition has been filed challenging the order passed by the first respondent under Section 78 of the HR & CE Act.



2. Against the order of the first respondent, an appeal is provided, before the Commissioner, Hindu Religious and Charitable Endowment Department. The petitioner, without availing the alternative remedy, filed this Writ Petition. Hence, this Writ Petition is liable to be dismissed.

3. In the above circumstances, this writ petition is dismissed. However, it is always open to the petitioner to file an appeal before the Commissioner, Hindu Religious and Charitable Endowment Department, if he so advised. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1. The Joint Commissioner,
Hindu Religions and Charitable
Endowments Department,
Tirunelveli.

2. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Nagercoil, Kanyakumari District.

+One cc to M/s.N.Madhava Govindan, Advocate, SR.No.51184

+One cc to M/s.M.Muthugeethayan, Advocate, SR.No.51156

Copy to:-

**The Section Officer, E.R.Section,
Madurai Bench of Madras High Court,
Madurai**

Myr

RL/6C/2P/SKN/RSK/SAR4/9/3/2018