



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

WP (MD) No.4053 of 2018

and

WMP (MD) No.4214 of 2018

N.Radhakrishnan

.. Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department,
Palayamkottai, Tirunelveli.

2.The Joint Commissioner/Executive Officer,
Arulmigu Subramaniaswamy Thirukovil,
Tiruchendur - 628 215.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department,
Vadiveeswaram, Nagercoil.

... Respondents

Petition filed under Article 226 Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order passed in M.P.No.45 of 2017 dated 05.02.2018 on the file of the first respondent and quash the same and further direct the first respondent to number the application filed on 02.02.2018 by the petitioner to set aside the order dated 14.11.2017 setting him ex parte and dispose of the same.

For Petitioner : Mr.M.P.Senthil

For R1 & R3 : Mr.Aayiram K.Selvakumar
Additional Government Pleader

For R2 : Mr.Muthu Geethaiyan

ORDER

This writ petition has been filed challenging the order passed by the first respondent under Section 78 of the HR & CE Act, 1959, directing the petitioner to vacate the premises.

2. Admittedly, against the order passed by the first respondent, a revision is provided under Section 21 of the said Act before the Commissioner. Without availing alternative remedy, the



petitioner cannot maintain this writ petition. Hence, this writ petition is dismissed. However, it is open to the petitioner to work out his remedy in the manner known to law. No costs. Consequently, WMP(MD)No.4214 of 2018 is closed.

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/True Copy/

Sd/-

Assistant Registrar(C.O)

Sub-Assistant Registrar

To

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment
Department,
Palayamkottai, Tirunelveli.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department,
Vadiveeswaram, Nagercoil.

+One cc to Mr.M.Muthu geethayan, Advocate, SR.No.51574

+One cc to Mr.M.P.Senthil, Advocate, SR.No.51717

+One cc to The Special Government Pleader, SR.No.52172

mj

RL/6C/2P/SKN/RSK/SAR3/7/3/2018

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