



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)Nos.509 of 2018 & 23324 of 2017

and

W.M.P.(MD)Nos.507 of 2018 & 19610 & 19611 of 2017

R.Chandrasekaran ... Petitioner in W.P.(MD)No.509 of 2018
1.S.Balakrishnan
2.G.Raman ... Petitioner in W.P.(MD)No.23324 of 2017
-Vs-

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

2.Diwan & Administrative Officer,
Ramanathapuram Samasthanam and Devasthanam,
Ramanathapuram.

3.Muthuramalingam ...Respondents
in W.P.(MD)No.509 of 2018

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

2.Diwan & Administrative Officer,
Ramanathapuram Samasthanam and Devasthanam,
Ramanathapuram.

3.R.Chandrasekaran
4.Muthuramalingam ...Respondents
in W.P.(MD)No.23324 of 2017

COMMON PRAYER:Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned order passed by the first respondent in O.A.No.8/2015/E1, dated 20.07.2017 signed by the first respondent on 15.09.2017 and quash the same.

For Petitioner : Mr.PT.S.Narendravasan
For R1 : Mr.Aayiram K.Selva Kumar,
Additional Government Pleader.
For R2 : MrS.Ramesh
For R3 : Mr.B.Ashok
in W.P.(MD)No.509 of 2018



For R4

: Mr.B.Ashok
in W.P.(MD)No.23324 of 2017

COMMON ORDER

The Writ Petitions have been filed challenging the order dated 20.07.2017 passed by the first respondent.

2.The learned counsel for the petitioners submitted that even though the petitioners are the trustee of the trust, without issuing any notice to the petitioners, the impugned order has been passed.

3.Against the order of the first respondent, an appeal is provided under Section 69 of the Hindu Religious and Charitable Endowment Act before the Commissioner, Hindu Religious and Charitable Endowment Department. But, the petitioners, without availing the alternative remedy, filed these Writ Petitions. Hence, these Writ Petitions are liable to be dismissed.

4.If at all the petitioners have any grievance against the order passed by the first respondent, it is always open to them to file an appeal before the Commissioner, Hindu Religious and Charitable Endowment Department, within a period of two weeks from the date of receipt of a copy of this order and if any such appeal is filed, the Commissioner is directed to consider the same and pass suitable orders on merits and in accordance with law.

5.With the above observation, these Writ Petitions are dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Sivagangai.

+One cc to The Special Government Pleader, SR.No.45547

+One cc to M/s.V.Raghavachari, Advocate, SR.No.45090

+One cc to Mr.PT.S.Narendravasan, Advocate, SR.No.45328

Copy to: The Section Officer, E.R.Section,

Madurai Bench of of Madras High Court, Madurai

Myr

RL/6C/2P/SV/MMS/SAR4/13/2/2018

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

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30.01.2018