



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 05.09.2019**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.GOVINDARAJ**

**W.P. (MD) No.19284 of 2019**  
**and W.MP. (MD) .No.15707 of 2019**

WEB COPY

Ganesan

... Petitioner

vs.

1.The Joint Commissioner  
Tamil Nadu Hindu Religious &  
Charitable Endowment Department  
Myladuthurai,  
Nagapattinam District.

2.The Assistant Commissioner  
Tamil Nadu Hindu Religious &  
Charitable Endowment Department  
Kumbakonam,  
Thanjavur District.

3.The Executive Officer,  
Arulmighu Karikudinathar Thirukovil,  
Maruthanallur,  
Kumbakonam Taluk,  
Thanjavur District. ... Respondents

**PRAYER:**

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned order passed by the 1<sup>st</sup> respondent in his proceedings in Miscellaneous Petition No.98/2017 dated 10.07.2019 and quash the same and consequently direct the respondents do not disturb the petitioner's peaceful possession and enjoyment of the property in S.No.31/2A1 situated at Maruthanallur Village, Kumbakonam Taluk, Thanjavur District.

For Petitioner : Mr.G.Gomathisankar

For Respondents : Mr.VR.Shanmuganathan  
Special Government Pleader for RR-1 & 2

Mr.V.Chandrasekar for R-3



**O R D E R**

Challenging the impugned order passed by the 1<sup>st</sup> respondent in his proceedings in Miscellaneous Petition No.98/2017 dated 10.07.2019 and consequently to direct the respondents not to disturb the petitioner's peaceful possession and enjoyment of the property in S.No.31/2A1 situated at Maruthanallur Village, Kumbakonam Taluk, Thanjavur District, the present writ petition has been filed.

2.The relief sought for by the petitioner is not maintainable before this Court in a writ proceeding. Against the order passed by the Joint Commissioner of HR & CE Department, an appeal remedy is available for the petitioner before the Commissioner of HR & CE Department.

3.Hence, this writ petition is dismissed with liberty to the petitioner to file an appeal before the Commissioner of HR & CE Department within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

/ True Copy /

Sub Assistant Registrar (CS- )

To:

- 1.The Joint Commissioner  
Tamil Nadu Hindu Religious &  
Charitable Endowment Department  
Myladuthurai,  
Nagapattinam District.
- 2.The Assistant Commissioner  
Tamil Nadu Hindu Religious &  
Charitable Endowment Department  
Kumbakonam,  
Thanjavur District.
- 3.The Executive Officer,  
Arulmighu Karikudinathar Thirukovil,  
Maruthanallur,  
Kumbakonam Taluk, Thanjavur District.



4.The Commissioner  
Tamil Nadu Hindu Religious &  
Charitable Endowment Department  
Kumbakonam,  
Thanjavur District.

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+1 CC to M/s.G.GOMATHI SHANKAR, Advocate (SR-85423[F] dated 05/09/2019)

**W.P. (MD) No.19284 of 2019**  
**05.09.2019**

vs  
ES/03.10.2019/2P/6C