



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.(MD) No.23833 of 2019

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Senthamaraikannan

... Petitioner

vs.

1. The Joint Commissioner
Hindu Religious and Charitable Endowments Department,
Madurai-1.

2. The Executive Officer,
Arulmighu Soundirarajaperumal Thirukoil,
Thadikombu,
Dindigul District.

3.K.Jeganathan

4.N.Irusappan

5.M.Govindapandian

6.K.R.Selvarajkumar

7.A.Vasimalai

8.M.Arumuganayinar

9.N.Sethuraman

10.M.Sekar

11.R.Vasudevaraja

12.A.Pandeeswaran

... Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of certiorarified mandamus, Calling for the records pertaining to the impugned order dated 23.10.2019 passed by the 1st respondent in I.A.NO.16/2019 in O.A.No.08/2019 on his file and the consequent notice dated 5.11.2019 issued by the 2nd respondent and quash the same and consequently directing the 1st respondent to decide the I.A.No.16/2019 in O.A.No.08/2019 by giving a fair opportunity to the petitioner.

For Petitioner : Mr.B.Narayanan

For Respondents : Mr.V.R.Shanmuganathan

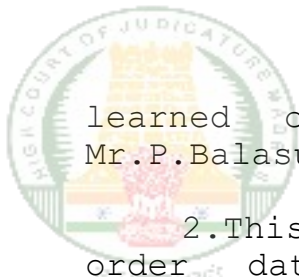
Special Government Pleader for R-1

Mr.P.Balasubramanian for RR-3 to 12

Mr.M.Muthugeethayan for R-2

O R D E R

Mr.V.R.Shanmuganathan, learned Special Government Pleader takes notice on behalf of the respondent No.1, Mr.M.Muthugeethayan,
<https://hcservices.ecourts.gov.in/hcservices/>



learned counsel takes notice for the respondent No.2 and Mr.P.Balasubramaniyan, takes notice for respondents 3 to 12.

2.This writ petition has been filed, challenging the impugned order dated 23.10.2019 passed by the 1st respondent in I.A.No.16/2019 in O.A.No.08/2019 and the consequent notice dated 5.11.2019 issued by the 2nd respondent and consequently direct the 1st respondent to decide the I.A.No.16/2019 in O.A.No.08/2019 by giving a fair opportunity to the petitioner.

3.According to the petitioner, he was an Administrator of a mutt under the control of Palani Dhandayuthabani Temple. The respondents 3 to 12 filed an application under Section 64 of the Tamil Nadu Hindu Religious and Charitable Endowments Act for framing of a scheme in respect of the mutt. The first respondent passed an order on 23.10.2019, appointing a Fit Person. Aggrieved over the order of the first respondent, the petitioner is before this Court.

4.Admittedly, there is an appeal remedy provided under this Act to the Commissioner of Hindu Religious and Charitable Endowments Department. Without exhausting the alternative remedy, the petitioner cannot file a writ petition.

5.Accordingly, this writ petition is not maintainable and the same is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

Vs

To

1.The Joint Commissioner
Hindu Religious and Charitable Endowments Department,
Madurai-1.

2.The Executive Officer,
Arulmighu Soundirarajaperumal Thirukoil,
Thadikombu,
Dindigul District.

+1 CC to Mr.M. MUTHUGEETHAYAN, Advocate (SR-97618[F] dated 12/11/2019)

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



+1 CC to Mr.R. NARAYANAN, Advocate (SR-97968[F] dated 13/11/2019)
+1 CC to Mr.P.BALASUBRAMANIAN, Advocate (SR-98169[F] dated
14/11/2019)
+1 CC to Spl.GP (SR-98421[F] dated 14/11/2019)

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