



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P. Nos. 2296 & 2300 of 2022

and

W.M.P.Nos.2463 to 2468 of 2022

Rajesh Kumar ... Petitioner in W.P.2296 of 2022
Paraschand Jain ...Petitioner in W.P.2300 of 2022
Vs

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Vellore.
2. The Executive Officer,
Arulmigu Sundara Veera Anjaneyar
Swamy Temple,
Tirupattur Nagar,
Tirupattur Taluk & District. ...Respondents in both W.Ps.

Both the Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records pertaining to the impugned notice of the 2nd respondent dated 16.10.2020 and quash the same as illegal, incompetent and ultravires.

For petitioner ... Mr. R.Jayaprakash
in both W.Ps.

For respondents ... Mr. T. Chandrasekaran,
in both W.Ps Special Government Pleader

COMMON ORDER

Challenging the order passed by the 2nd respondent/Executive Officer, both the writ petitions have been filed.

2. Admittedly, against the order passed by the 2nd respondent/Executive Officer, an appeal remedy is provided under Section 34-A(3) of the HR & CE Act. Without availing the



alternative remedy, the petitioners cannot straight away filed the writ petitions and therefore, both the writ petitions are liable to be dismissed.

3. Accordingly, both the writ petitions are dismissed. The petitioners are permitted to file appeal before the appellate authority within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed. Registry is directed to return the original order to the petitioners. The respondents are directed not to take any coercive action till the petitioners file the appeal.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Vellore.
2. The Executive Officer,
Arulmigu Sundara Veera Anjaneyar
Swamy Temple,
Tirupattur Nagar,
Tirupattur Taluk & District.

COPY TO
The Section Officer,
E.R Section,
High Court, Madras-104.

+2cc to Mr. R.Jayaprakash, Advocate, S.R.No.8596,8597

W.P. Nos.2296 & 2300 of 2022

AK(CO)
CT 16/02/2022