



W.P(MD)No.3057 of 2013

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.3057 of 2013

and

M.P(MD)Nos.1 & 2 of 2013

C.Chinnakaruppan

... Petitioner

Vs.

1.The Joint-Commissioner,
Hindu Religious and Charitable Endowment,
Trichirappalli.

2.The Executive Officer,
Pudukkottai Temples,
Pudukkottai.

3.The Tahsildar,
Thirumayam Taluk,
Pudukkottai District.

4.P.Ganapathy
5.C.N.Sathyamoorthy
6.K.R.Vellachamy
7.P.R.Kurundhappan
8.R.Shanmugam
9.K.R.Azhagappan
10.Periyasamy

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order, dated 12.04.2011, in O.P.No.15 of 2009 on the file of the first respondent quash the same.

For Petitioner : Mr.J.Anand Kumar
For R-1 & R-3 : Mr.B.Saravanan
Additional Government Pleader
For R-2 : Mr.G.Mathavan
For R-4, R-5, R-7 to R-10 : Mr.S.Anwar Sameem
For R-6 : No appearance

ORDER

The present Writ Petition has been filed challenging a scheme settled by the first respondent herein with regard to Arulmigu Kurundhudaiya Iyyanar Temple under Section 64(1) of the Tamil Nadu Hindu Religious and Charitable Endowments (HR&CE) Act. It is not the case of the petitioner that the said scheme was settled without giving any opportunity to the writ petitioner. In such an event, there is an effective alternative remedy by way of a statutory appeal to the HR&CE Commissioner under Section 69 of the HR&CE Act. In view of the availability of the statutory appeal as against the order impugned in the



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writ petition, this Court is not in a position to entertain the writ petition under Article 226 of Constitution of India. The writ petition stands dismissed with liberty to the petitioner to file a statutory appeal before the Commissioner, HR&CE. If any appeal is filed, the period spent during the pendency of the writ petition shall be exempted for calculating the period of limitation.

2. With the above said observations, the writ petition stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions stand closed.

09.09.2022

Index : Yes / No
Internet : Yes / No
btr

To

- 1.The Joint-Commissioner,
Hindu Religious and Charitable Endowment,
Trichirappalli.
- 2.The Executive Officer,
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Pudukkottai.



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3.The Tahsildar,
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Pudukkottai District.

Order made in
W.P(MD)No.3057 of 2013

09.09.2022