



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.10037 of 2022

and

W.M.P(MD) No.7148 of 2022

Palanisamy

... Petitioner

Vs.

1.The Commissioner,

Hindu Religious and Charitable Endowment Department,
Chennai.

2. The Joint Commissioner,

Hindu Religious and Charitable Endowment Department,
Thiruchirappalli,
Thiruchirappalli District.

3. The Executive Officer,

Arulmighu Madurai Kaliyamman Temple,
Thottiyam, Trichy District.

4. Gnanasekaran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records prevailing to the impugned order passed by the second respondent vide proceedings Na.Ka.No.5822/2019/B4, dated 27.04.2022 and quash the same as illegal.

For Petitioner

: Mr.Karunanithi

For R1 & R2

: Mrs.D.Farjana Ghousia
Special Government Pleader

For R3

: Mr.P.Athimoola Pandian

For R4

: Mr.Joel Paul Antony

O R D E R

This impugned order has been passed pursuant to the direction given by this Court on 22.02.2022 in W.P.(MD) No.9987 of 2019. The impugned order has been passed under Section 64 (4) of the Hindu Religious and Charitable Endowments Act (hereinafter referred to as "the HR & CE Act"). The petitioner has been heard in the impugned proceedings and only thereafter, the impugned order came to be passed. Therefore the only remedy available to the petitioner is to challenge the same by filing a Statutory Appeal under Section 21 of the HR & CE Act before the appropriate forum.



2. The learned counsel for the petitioner seeks liberty of this Court to file a Statutory Appeal under Section 21 of the HR & CE Act.

3. After recording the submissions made by the learned counsel for the petitioner, this writ petition is disposed of by granting liberty to the petitioner to file a Statutory Appeal challenging the impugned order before the first respondent under Section 21 of the HR & CE Act. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer/
Assistant Registrar (CS-III)

// True Copy //

/ /2022
Sub Assistant Registrar(CS)

RM

To

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Thiruchirappalli,
Thiruchirappalli District.
3. The Executive Officer,
Arulmighu Madurai Kaliyamman Temple,
Thottiyam, Trichy District.

+1 CC to M/s.SPL.GP (SR-24069[F] dated 23/05/2022)

W.P. (MD)No.10037 of 2022
20.05.2022

KG(CO)
GC(31.05.2022) 2P 5C