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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.31274 of 2024
and
W.M.P(MD)No.26202 of 2024

S.Rajkumar

... Petitioner

Vs

1.The Commissioner,
Hindu Religious Charitable and Endowments
Department,
Chennai.

2.The Joint Commissioner,
Hindu Religious Charitable and Endowments
Department,
Mailaduthurai.

3.The Executive Officer,
Arulmughu Naganahaswamy Thirukkcoil,
Thirunageswaram,
Kumbakonam Taluk,
Thanjavur District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Certiorari calling for the impugned proceedings issued by the second respondent, dated 5.6.2018 and to quash the same as illegal and unconstitutional.

For Petitioner : Mr.B.Jameel Arasu



For Respondents : Mr.P.Subbaraj
1 and 2 Special Govt.Pleader

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ORDER

This Writ Petition has been filed against the impugned proceedings issued by the second respondent, dated 05.06.2018 and to quash the same as illegal and unconstitutional.

2.Mr.P.Subbaraj, learned Special Government Pleader takes notice for the respondents 1 and 2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.As against the order passed by the second respondent, there is a revision available before the first respondent. However, the Petitioner challenged the order passed by the first respondent by way of suit in O.S.No.416 of 2018, on the file of the District Munsif Court, Kumbakonam, Thanjavur District. After a period of three years, the suit was dismissed as not maintainable as against the order passed by the second respondent. Therefore the Petitioner lost his right to file a revision as against the order passed by the second respondent and filed the present Writ Petition. However, this Court feels that the Petitioner may be given an opportunity to



exhaust his revisional remedy before the first respondent.

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4. In view of the above, the Petitioner is directed to file a revision before the first respondent within a period of two weeks from today as against the order passed by the second respondent. On such filing, the first respondent is directed to dispose of the same after affording an opportunity of hearing to the petitioner and interested parties, if any, on merits and in accordance with law, within a period of 12 weeks thereafter.

5. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

20.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
vsn

To

1. The Commissioner,
Hindu Religious Charitable and Endowments
Department,
Chennai.

2. The Joint Commissioner,
Hindu Religious Charitable and Endowments
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Mailaduthurai.

3. The Executive Officer,
Arulmughu Naganahaswamy Thirukkoil,
Thirunageswaram,
Kumbakonam Taluk,
Thanjavur District.



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G.K.ILANTHIRAIYAN, J.

vsn

Order made in
W.P(MD)No.31274 of 2024

20.12.2024