



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 11.09.2025

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CORAM

THE HONOURABLE MR JUSTICE P.B. BALAJI
CRP.No.4313 of 2025

1. K.Subramaniam

2. K.Nandhagopal

3. A.Senthamarai Kannan

4. S.Ramamurthy

5. J.Karthikeyan

6. K.Shanmugam

7. P.Jaya Prakash

8. N.K.Maheswaran

... Petitioners

Vs.

M.Sengathir Prakash

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 16.12.2024 and consequentially direct the learned Joint Commissioner HR & CE. Registry to number the unnumbered Original Application in Filing No.2825 of 2024 on the file of the Joint Commissioner, HR & CE Department, Coimbatore and pass orders.

For Petitioner : Ms.S.Abhinaya Shree



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ORDER

The petitioners challenge the order of the Joint Commissioner, HR
& CE dated 16.12.2024.

2. The petitioners' grievance is that the application filed by him under Section 63 (b) of the Hindu Religious & Charitable Endowments Act has been returned without giving an opportunity to the petitioners to explain as to how the application was maintainable.

3. It is seen that subsequent to the filing of the O.A before the Joint Commissioner, the impugned order was passed by the Joint Commissioner, without hearing the petitioner, returned the application on merits. In view of the ratio laid down by this Court in ***Selvaraj Vs. Koodankulam (2021 (5) MLJ 467)***, where this Court has given directions as to how the Courts have to entertain any application and how applications are to be processed, at the stage of filing and numbering, the impugned proceedings is in clear violation of the ratio laid down by this Court in *Selvaraj's case*. Therefore, I am inclined to set aside the order of the Joint



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Commissioner and accordingly, the impugned order is set aside. Registry is directed to return the original petition filed under Section 63 (b) of Hindu Religious & Charitable Endowments Act to the learned counsel for the petitioners within a period of one week from the date of receipt of a copy of this order and the petitioners are directed to re-present the said petition within a period of 10 days from the date of receipt of the original application from the Registry of this Court and the Joint Commissioner, HR & CE shall hear the learned counsel for the petitioners on merits, and if the Joint Commissioner entertain any doubt with regard to the maintainability of the petition under Section 63 (b) of Hindu Religious & Charitable Endowments Act and thereafter, shall pass orders, after affording fair opportunity to the petitioners.

In the light of the above, this Civil Revision Petition is disposed of.

No costs.

11.09.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

dh



To
The Joint Commissioner,
HR & CE Department,
Coimbatore.

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P.B. BALAJI,J.

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