



W.P.No.33719 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2025

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C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.33719 of 2025

and

W.M.P.Nos.37834 of 2025

R.Varadharajan

... Petitioner

Vs

1.The Commissioner,
HR & CE Department,
Uthamar Gandhi Road,
Nungambakkam, Chennai-600034.

2.The Joint Commissioner,
HR & CE Department,
Thiruvannamali.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order of the 2nd respondent dated 30.06.2025 in M.P.No.24/2024/aa2/date:30.06.2025 and quash the same as illegal and unlfwl and consequently direct the respondents to register the petitioner as one of the hereditary trustees of the Arulmigu Thimmarayasamy Temple located in the Sundekuppam Village & Post, Krishnagiri Taluk & District.

For Petitioners : Mr.S.Vasavi Sridevi

For Respondents : Mr.K.Karthikeyan,
Government Advocate (HR & CE)
For R-2 & R-2



W.P.No.33719 of 2025

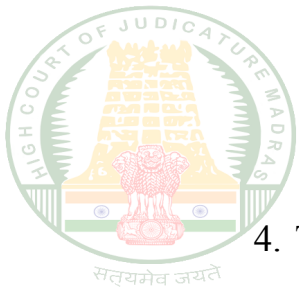
ORDER

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Assailing the impugned order dated 30.06.2025 passed by the 2nd respondent, the present Writ Petition has been filed with a consequential prayer to direct the respondents to register the petitioner as one of the hereditary trustees of the respondent temple.

2. Mr.K.Karthikeyan, learned Government advocate (HR & CE) takes notice on behalf of the respondents.

3. The petitioner functioning as a Hereditary Trustee cum Poojari, after the demise of his father who was the erstwhile Hereditary Trustee of the said temple, had filed a petition before the Joint Commissioner's Court, Salem seeking to register himself as one of the Hereditary Trustees of the respondent temple which was subsequently, transferred to the 2nd respondent. However, the 2nd respondent after issuing notice to the petitioner calling upon him to appear for enquiry, had passed the present impugned order rejecting the claim of the petitioner on the premise that the petitioner is carrying out cultivation in the temple lands. Aggrieved by the said order, the petitioner has come up with the present Writ Petition.



W.P.No.33719 of 2025

4. The learned counsel appearing for the petitioner submits that the said impugned order has come to be passed without affording any opportunity to the petitioner thereby denying him to put forth his explanation as to the allegation levelled against him, which is in violation of principles of natural justice and therefore the impugned order passed by the 2nd respondent cannot be sustained and the same is liable to be set aside.

5. Per Contra, the learned Government Advocate (HR & CE) appearing for the respondents submits that, as against the order impugned herein, there is an effective remedy available for the petitioner under Section 54(4) of the HR & CE Act before the Commissioner of HR & CE Department. Without resorting to the said remedy, the petitioner has filed the present Writ Petition which is not sustainable.

6. Heard the learned counsel appearing on either side and perused the materials available on record.

7. As rightly pointed out by the learned Government Advocate, as against the impugned order, there is an effective remedy of appeal available for the petitioner under Section 54(4) of the HR & CE Act before the Commissioner of



W.P.No.33719 of 2025

HR & CE Act. Without exhausting the said remedy, filing of Writ Petition before

WEB.COM this Court is not sustainable. Hence, this Court without interfering with the impugned order, is inclined to direct the petitioner to file an appeal before the Commissioner of HR & CE Department within a period of two weeks from the date of receipt of a copy of this order. If any such appeal is filed, the Commissioner of HR & CE Department shall consider the same and pass appropriate orders within a period of four weeks thereafter.

8. Accordingly, this Writ Petition stands disposed of with the aforesaid direction. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition stands closed.

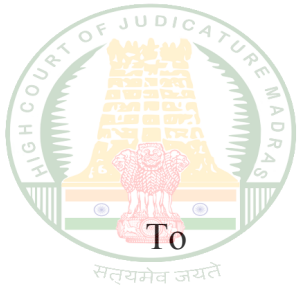
09.09.2025

Index: Yes/No

Internet: Yes

Speaking/Non-Speaking order

Nhs



W.P.No.33719 of 2025

To

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HR & CE Department,
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Nungambakkam, Chennai-600034.

2. The Joint Commissioner,
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W.P.No.33719 of 2025

M.DHANDAPANI, J.

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