



W.P.(MD)No.6878 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6878 of 2025

and

WMP (MD) Nos.5153 & 5154 of 2025

S.Periyasamy

: Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Nungambakkam High Road,
Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Joint Commissioner Office,
Thanjavur.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records pertaining to the impugned order passed by the 2nd respondent in Se.Mu.Na.Ka.No. 11017/2022/A3 dated 22.02.2025, quash the same as illegal.

For Petitioner : Mr. M.Beema Rao



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For Respondents : Mr.K..S.Selvaganesan
Government Advocate

ORDER

Challenging the interim suspension order dated 22.02.2025, passed by the second respondent, the present writ petition has been filed by the petitioner.

2.Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The petitioner claims that he was appointed as a Hereditary Trustee by his father and was responsible for maintaining the temple property. Subsequently, the petitioner appointed one Chitravalli as a lessee. However, without the petitioner's knowledge, she contracted the house and also altered the patta and adangal in her name. Based on this allegation, the second respondent passed an interim suspension order against the petitioner. Aggrieved by the same, the present writ petition has been filed.



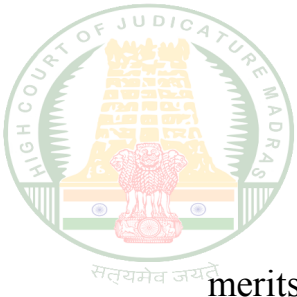
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4. The learned Additional Government Pleader, appearing on behalf of the respondents, submitted that the petitioner has an adequate and effective alternate remedy under Section 53(5) of the TN HR & CE Act, before the first respondent to resolve disputes related to the administration of religious institutions.

5. After considering the submissions made by both parties, it is observed that the petitioner has an effective alternative remedy available under Section 53(5) of the TN HR & CE Act, which provides for an appeal against the impugned proceedings dated 22.02.2025 before the first respondent. It is a settled principle of law that when an alternate remedy is provided by statute, a party must exhaust such remedy before seeking judicial intervention through a writ petition.

6. Accordingly, the Writ Petition stands disposed of, granting liberty to the petitioner to approach the first respondent within a period of two weeks from the date of receipt of a copy of this order. In case, if any such appeal is filed by the petitioner within a period of two weeks from today, the appellate authority shall entertain the said appeal on



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merits without reference to the period of limitation. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

14.03.2025

Index : Yes / No

Internet : Yes / No

PKN

To

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Chennai.

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VIVEK KUMAR SINGH, J.

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