



W.P.(MD)No.7868 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.3.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.7868 of 2025

and WMP (MD) Nos.5961, 5962 & 5966 of 2025

N.Valli

: Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Chennai-600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Administration Department,
Ellis Nagar, Madurai-625 001.

3. Lakshmi

4. Ponnupandian

5. Rajesh

6. Rishi Pandian

7. Jai Veera Pandian

8. Saravana Pandian

9. P.M.Pandirajan

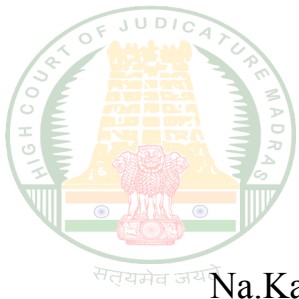
10. Rebello

11. P.M.Chellapandi

12. Karthick

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent dated 14.02.2025 vide proceedings



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Na.Ka.No.172/2025/A1 and quash the same and for direction to the 2nd respondent to direct the Respondents 3 to 10 to pay the monetary benefits which includes Hundial income and plate collections for period 28.7.2017 to 3.8.2017, 29.9.2017 to 5.10.2017, 17.11.2017 to 23.11.2017, 5.1.2018 to 11.1.2018, 6.5.2018 to 10.5.2018, 12.7.2018 to 16.7.2018 and 31.8.2018 to 6.9.2018 to the petitioner.

For Petitioner : Mr.J.Anandhavalli

For Respondents : Mr.K.S.Selvaganesan

Addl.Government Pleader for R1 & R2

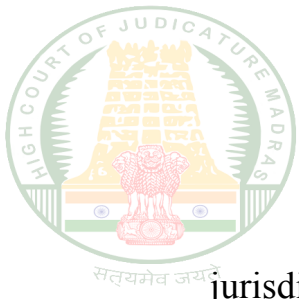
Mr.V.R.Shanmuganathan for R12

ORDER

The petitioner has filed the present writ petition challenging the impugned proceedings dated 14.02.2025, passed by the second respondent, fixing the pooja turn and seeking a consequential direction to the second respondent to pay the monetary benefits.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 3 to 11, is dispensed with.

3. The petitioner has assailed the impugned order in the writ petition primarily on the ground that the second respondent has no



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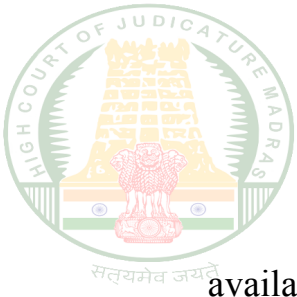
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jurisdiction to pass an order regarding the pooja turn and poojaris, as the authority over the same is vested in the Board of Trustees under Section 55 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. The petitioner further contends that, having observed that the pooja turn is based on the outcome of the suit in O.S. No. 383 of 1973, the second respondent ought not to have directed the Board of Trustees to grant the pooja turn in favor of the 12th respondent.

4. In response, the learned Additional Government Pleader, appearing on behalf of the respondents 1 and 2, submitted that the petitioner has an adequate and effective alternate remedy under Section 21 of the TN HR & CE Act. According to the said provision, any person aggrieved by the proceedings has the right to file an appeal before the appellate authority.

5. Heard the learned counsel for the parties and perused the materials available on record.

6. Upon considering the submissions made by both parties, it is observed that the petitioner has an effective alternative remedy



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available under Section 21 of the HR & CE Act, which provides for an appeal against the impugned proceedings dated 14.02.2025 before the appellate authority. 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.

7. Accordingly, the Writ Petition stands disposed of, granting liberty to the petitioner to approach the appellate authority within a period of two weeks from the date of receipt of a copy of this order. In case, any such appeal is filed by the petitioner within a period of two weeks from today, the appellate authority shall entertain the appeal and pass appropriate orders on its own merits and in accordance with law within three months thereafter, without reference to the period of limitation. Till such time, the *status quo* shall be maintained between the parties. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

21.3.2025

Index : Yes / No
Internet : Yes / No

PKN



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