



W.P.(MD)No.9002 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9002 of 2025

and

WMP (MD) Nos.6729 & 6731 of 2025

1.P. Veerapandi,

2.R.S.Pechiappan

: Petitioners

Vs.

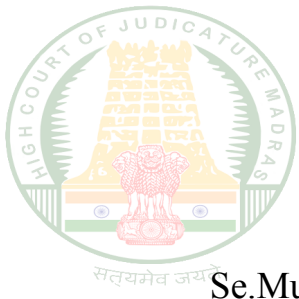
1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai - 34.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Ellis Nagar,
Madurai - 625 010.

3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Virudhunagar.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari call for the entire records connected with the impugned order passed by the 3rd respondent in



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Se.Mu.Na.Ka.No.430/2025/A4-1, dated.27.01.2025 and quash the same.

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For Petitioner : Mr. K.K.Kannan

For Respondents : Mr.K.S.Selvaganesan

Addl. Government Pleader

ORDER

This writ petition has been filed challenging the order of appointment of the Executive Officer, dated 27.01.2025 passed by the third respondent.

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

3. The petitioners claim that they are the devotees of Arulmighu Nallathangal at Arjunaaram Village, Watrap Taluk, Virudhunagar District. The festival committee of the temple is formed unanimously by electing the members without any dispute. Therefore, the petitioners assert that there is no need for the intervention of HR & CE Department in the said Temple. Under these circumstances, the first respondent has passed an impugned order dated 12.05.2022 appointing an Executive Officer for the said temple. Challenging the same, the



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petitioners have filed the present writ petition.

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4. In response, the learned Additional Government Pleader, appearing on behalf of the respondents, submitted that the petitioners have an adequate and effective alternate remedy under Section 21 of the TN HR & CE Act. The learned Additional Government Pleader further submitted that 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 available under Section 21 of the HR & CE Act, which provides for an appeal against the impugned order dated 27.01.2025 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.



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7. Accordingly, the Writ Petition stands disposed of, granting

liberty to the petitioners 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 petitioners 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 two months thereafter, without reference to the period of limitation. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes / No

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Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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