



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-01-2026

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

**WP No. 745 of 2026
and W.M.P.Nos.923 & 924 of 2026**

Sampath Achari

Petitioner

Vs

1. The Commissioner,
Hindu Religious and Charitable Endowments,
119, Uthamar Gandhi Road,
Thousand Lights West,
Nungambakkam, Chennai-600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Vellore Circle, Vellore - 12.

3.The Assistant commissioner,
Hindu Religious and Charitable Endowments,
Tiruvallur District, Tiruvallur.

4.The Executive Officer,
Arulmigu Thirukanchi Nambigal and
Varadaraja Perumal Temple,
Poonamallee, Chennai- 600 056.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records of the fourth respondent herein culminating in impugned order dated 09.12.2025 in Na.Ka.No.3377/2025 and quash the same and consequently direct the respondents herein to afford the petitioner an opportunity to put forth the petitioner's case.



For Petitioner: Mr.M.Santhanaraman
For R1 to R4: Mr.K.Karthikeyan
Government Advocate

ORDER

The writ petition is filed challenging the impugned order dated 09.12.2025 in Na.Ka.No.3377/2025.

2. Upon hearing the learned Counsel for the petitioner and perusing the affidavit filed in support of the writ petition and the material records, it can be seen that the order impugned in the writ petition is only a consequential order fixing the date for taking possession. On a perusal of the records, it can be seen that an application was filed in M.P. No.31 of 2013 for eviction of the petitioner under Section 78 of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959 and an order seems to have been passed on 29.08.2025.

3. The learned Counsel for the petitioner submits that since the petitioner is a carpenter and was staying in Kerala and carrying on his avocation, he could not appear before the Joint Commissioner and therefore an opportunity should be given to him.



4. Once an eviction order is passed, there is an alternative remedy of filing a revision before the Commissioner. Even the Commissioner is entitled to pass an order of remand and also grant interim protection to the petitioner pending the revision. Therefore, since the petitioner has an equally efficacious alternative remedy, the writ petition is not entertained. It will be open for the petitioner to file a revision. If a revision is filed within two weeks from the date of receipt of the web copy of the order, the same shall be treated as in time and the petitioner will also be entitled to move such interim prayer before the revisional authority. Needless to mention that until such time, the impugned order need not be enforced and the rights of the parties will be dependent upon the interim/final order that may be passed by the Commissioner in the revision.

5. In view thereof, the writ petition stands disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

09-01-2026

Neutral Citation: Yes/No
nsl



To

1. The Commissioner,
Hindu Religious and Charitable Endowments,
119, Uthamar Gandhi Road,
Thousand Lights West,
Nungambakkam, Chennai-600 034.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Vellore Circle, Vellore - 12.

3. The Assistant commissioner,
Hindu Religious and Charitable Endowments,
Tiruvallur District, Tiruvallur.



WEB COPY

WP No. 745 of 2026



D.BHARATHA CHAKRAVARTHY J.

ns1

WP No. 745 of 2026

09-01-2026