

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU****DATED THIS THE 6TH DAY OF JULY, 2023****BEFORE****THE HON'BLE MR. JUSTICE E.S.INDIRESH****WRIT PETITION NO. 7704 OF 2022 (S-RES)****BETWEEN:**

SRINIVASAN N.,
SINCE DECEASED REPRESENTED BY HIS LRS.

1. ANURADHA K.R.
W/O LATE SRINIVASAN
AGED ABOUT 46 YEARS
2. RAKSHIT IYER
S/O LATE SRINIVASAN
AGED ABOUT 26 YEARS
3. ROHIT IYER
S/O LATE SRINIVASAN

ALL ARE R/AT D. NO. F-3,
"AADYA", III MAIN, 6TH CROSS,
VIDYARANYAPURAM, MYSURU - 570 008.

...PETITIONERS

(BY SRI. H L PRADEEP KUMAR, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
DEPARTMENT OF MUZRAI,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
M.S.BUILDING, DR. AMBEDKAR VEEDHI,
BANGALORE - 560 001.
2. HINDU RELIGIOUS AND CHARITABLE
INSTITUTIONS,
REPRESENTED BY ITS COMMISSIONER,



ALLURVENKATA RAO ROAD, CHAMARAJAPET,
BENGALURU - 560 018.

3. THE DEPUTY COMMISSIONER,
MYSORE DISTRICT,
MYSORE - 570 010.
4. THE ADMINISTRATOR,
SRI. CHAMUNDESHWARI TEMPLE,
CHAMUNDI HILLS, MYSURU,
MYSURU DISTRICT,
MYSURU - 570 010.
5. SRI. CHAMUNDESHWARI TEMPLE,
CHAMUNDI HILL, MYSURU - 570 010,
REPRESENTED BY
THE EXECUTIVE OFFICER.

...RESPONDENTS

(BY SMT. H R ANITHA, HCGP FOR R1 TO R4
RESPONDENT NO.5- NOT SERVED)

THIS WP IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING
THE ORDER DATED 16.02.2022 PASSED BY THE R1 IN
PETITION NO.28/2020(IN REVIEW) AT ANNEXURE-A.
DIRECTING THE R2 TO R4 TO IMPLEMENT THE ORDER
DATED 18.06.2020 PASSED BY THE R1 IN PROCEEDINGS
BEARING NO.28/2020 VIDE ANNEXURE-P AND ETC.,

THIS PETITION IS COMING ON FOR ORDERS, THIS
DAY, THE COURT MADE THE FOLLOWING:

ORDER

Heard the learned counsel Sri. H.L. Pradeep
Kumar appearing for the petitioner and learned Smt.



H.R. Anitha, High Court Government Pleader
appearing for the respondent Nos.1 to 4.

2. Learned counsel Sri. H.L. Pradeep Kumar
appearing for the petitioner contended that the first
respondent has no Authority under law to review its
own order dated 18.06.2020 (Annexure-P), whereby
the first respondent in the Office Memorandum dated
18.06.2020, directed the respondents herein to
consider the case of the original petitioner / deceased
- Sri Srinivasan .N as the Sannidhi Paricharika of the
third respondent Temple.

3. Learned Additional Government Advocate
sought to justify the impugned order.

4. In the light of the submission made by the
learned counsel appearing for the parties and on
careful examination of writ papers, would indicate that
the original petitioner / deceased - Srinivasan .N has



challenged the order dated 22.01.2020 passed by the third respondent herein (Annexure-N) before the first respondent herein. By Office Memorandum dated 18.06.2020 (Annexure-P), Respondent No.1 has passed an order, allowing the petition filed by the original petitioner-deceased/ Srinivasan .N. The said order was reviewed by the first respondent itself as per the order dated 16.02.2022 (Annexure-A). It is well settled principle in law that a Quasi-Judicial Authority has no jurisdiction to review its own order unless the statute provides for the same.

5. On careful examination of the provisions under the Hindu Religious Institutions and Charitable Endowments Act, 1997, there is no power for the first respondent herein to review its own order and in that view of the matter, I find force in the submission made by the learned counsel appearing for the petitioner. Accordingly, I am of view that, order dated



16.02.2022 passed in Petition No.28/2020 (Annexure-A), is set aside. Insofar as any benefits as ordered by the first respondent herein in its Office Memorandum dated 18.06.2020, the legal representatives of the original petitioner/deceased - Sri Srinivasan. N shall approach respondents Nos.3 to 5 herein for redressal of their grievance and same has to be considered by the respondent concerned, in accordance with law.

With these observations, the writ petition is ***disposed of.***

SD/-
JUDGE

MS*
List No.: 1 Sl No.: 5
CT: BHK