

(1931) 04 MAD CK 0019
In the Madras High Court

Chengazhisseri alias Puthillom alias Purmaseri Narayana alias
Punnasseri Nambi (dead) and Another

APPELLANT

Vs

The Board of Commissioners for Hindu Religious Endowments
constituted under Act I of 1925

RESPONDENT

Date of Decision : 28-04-1931

Acts Referred:

Madras Hindu Religious Endowments Act, 1923 — Section 84(2)

Citation : (1931) 34 LW 848 : (1931) 61 MLJ 862

Judgement

1. In our view the District Court had no authority u/s 84(2) of the Madras Hindu Religious Endowments Act to direct a remand and re-hearing of

the case. The powers conferred on the Court by that section are only to modify or set aside the decision of the Board and, of course, to dismiss

the application. If the section had meant that the Court was an appellate authority with all the normal powers of an Appellate Court, we should

expect that to have been stated. The District Court's order is therefore without jurisdiction and we must set it aside and direct that it pass a proper

order in accordance with its powers under the section. Each party will bear his own costs.