

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17472 of 2015

S.Parameswaran

... Petitioner

Vs.

- 1 The Commissioner
Hindu Religious and Charitable Endowment
Department Nungambakkam Chennai 34
- 2 The Asst. Commissioner/
Executive Officer Arulmighu
Vanabadrakaliamman Temple Thekampatti
Nellithurai Post Mettupalayam Taluk
Coimbatore District
- 3 The Hereditary Trustee
Arulmighu Vanabadrakaliamman Temple
Thekampatti Nellithurai Post Mettupalayam
Taluk Coimbatore District Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the Poojaris share in the sale of Archanai Ticket etc at Arulmighu Vanabadrakaliamman Temple, Thekampatti to the petitioner pursuant to the orders of the 2nd respondent dated 22.4.2015.

For Petitioner : Mr.K.J.Parthasarathy

For Respondents : Mr.M.L.Mahendran
Government Advocate

WEB COPY
O R D E R

By consent the writ petition is taken up for final disposal.

2.The petitioner claims to be given appointment as "Malaikatti" by the third respondent vide proceedings dated 18.09.1999, and the second respondent has also approved his appointment vide proceedings dated 08.11.2000 and he is discharging his duties in that capacity till date without any complaint whatsoever.

3.The petitioner would further state that the post of "Parisaragar" became vacant and the petitioner is also discharging the said functions as an additional charge. The claim of the petitioner, is pursuant to the additional charge, he is entitled to the share of Poojari in the sale of Archanai ticket and in this regard he has submitted numerous representations and since he has not been favoured with any response he filed W.P.No.31433 of 2014 before this Court and this Court by order dated 03.02.2015 disposed of the said writ petition by directing the second respondent after getting report from the third respondent. Pursuant to the orders passed by this Court in W.P.No.31433 of 2014, the second respondent passed an order on 22.04.2015 for granting the Poojari's share in the sale of Archanai ticket to the petitioner and inspite of the order passed by the second respondent, the petitioner has not been paid the share of Poojari in the sale of Archanai ticket, hence, he came forward to file this writ petition.

4.Heard the submissions of Mr.K.J.Parthasarathy, learned counsel appearing for the petitioner and Mr.M.L.Mahendran, learned Government Advocate who accepts notice on behalf of the respondents.

5.This Court taking into consideration all the above facts and circumstances and without going into the merits of the claim projected by the petitioner directs the third respondent to take into consideration the order of the second respondent in proceedings bearing Se.Mu.Na.Ka.No.461/2014/A1 dated 22.04.2015, a copy of which was also marked to the third respondent and pass orders as expeditiously as possible in accordance with law and not later than four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

pri

To

1 The Commissioner
Hindu Religious and Charitable Endowment
Department Nungambakkam Chennai 34

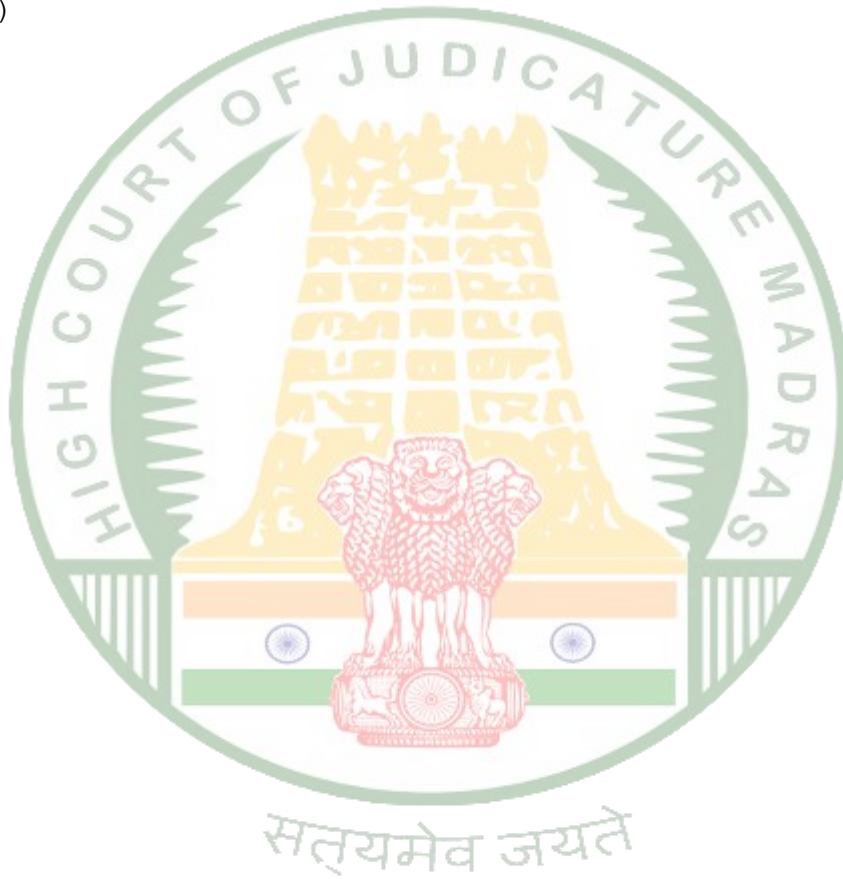
2 The Asst. Commissioner/
Executive Officer Arulmighu
Vanabadrakaliamman Temple Thekampatti
Nellithurai Post Mettupalayam Taluk
Coimbatore District

3 The Hereditary Trustee
Arulmighu Vanabadrakaliamman Temple
Thekampatti Nellithurai Post Mettupalayam
Taluk Coimbatore District

1 cc to Mr.K.J.Parthasarathy, Advocate, Sr. 30158
1 cc to Spl.Government Pleader, (HR & CE), Sr. 30561

W.P.No.17472 of 2015

TEJ (CO)
kk 26/6



WEB COPY