

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26-04-2016

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Writ Petition No.7536 of 2014

P. Nagaraj

.. Petitioner

Vs.

1. The Commissioner
Hindu Religious and
Charitable Endowment Department
Chennai 600 034
2. The Joint Commissioner
Hindu Religious and
Charitable Endowment Department
Coimbatore 18
3. The Executive Officer
Arulmighu Kaadu Anumantharaya
Swamy Thirukoil
Dharapuram 638 656, Tiruppur District
4. S. Guruprasad
Ex-Chairman, Board of Trustees (Resigned)
Arulmighu Kaadu Anumantharaya
Swamy Thirukoil
Dharapuram 638 656, Tiruppur District

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of certiorarified mandamus calling for the records relating to the proceedings of the 3rd respondent in issuing suspension order with charge sheet in Se. Mu. Na. Ka. No.1/2013-2 dated 5.4.2013 and Additional Charges in Na. Ka. No.1/2013 dated 10.12.2013 and consequential termination order issued by the 4th respondent in proceedings Se. Mu. Na. Ka. No.1/2013 dated 14.2.2014 and quash the same and consequently direct the respondents 1 and 2 to reinstate the petitioner in service of the respondent Temple with continuity of service backwages all monetary and attendant benefits.

For petitioner :: Mr. R. Gouri
For respondents :: Mr. K.V. Dhanapalan, AGP
 for RR1 to 3

ORDER

By consent, the main writ petition itself is taken up final hearing.

2. After making his submissions, the learned counsel for the petitioner would submit that it would suffice if the petitioner is permitted to file an appeal before the respondent No.2 under Section 56(2) of the Hindu Religious & Charitable Endowment Act.

3. Considering the same, the petition is disposed of within a period of four weeks to file the statutory appeal before the second respondent, as and when such appeal is filed the second respondent shall dispose of the same without rejecting the same, on merits. Registry to return the papers to the petitioner immediately.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Commissioner
Hindu Religious and
Charitable Endowment Department
Chennai 600 034

2. The Joint Commissioner
Hindu Religious and
Charitable Endowment Department
Coimbatore 18

+1 cc to Mrs.R.Gowri Advocate sr.26026
+1 cc to the Government Pleader sr.26338

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