



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 26.04.2017**

**CORAM:**

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM  
AND  
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

**W.A. (MD) Nos.94 and 95 of 2014**

W.A. (MD) No.94/2014:

P.Sureshkumar

... Appellant/6<sup>th</sup> Petitioner

Vs.

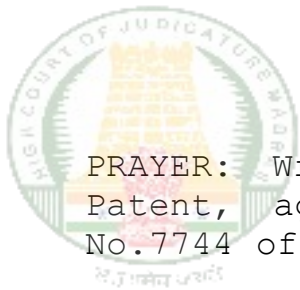
1. The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Chennai - 600 034.

2. The Joint Commissioner,  
Arulmigu Mariamman Temple,  
Samayapuram,  
Trichy District.

... Respondents 1 & 2/  
Respondents

3.N.Selvaraj  
4.A.Rathinavel  
5.M.Gopinath  
6.P.Gunalan  
7.P.Ganesan  
8.G.Kalaiselvan  
9.R.Rasukannu  
10.S.Ashok Kumar  
11.V.Veeramani  
12.S.Prakash  
13.M.Kumar  
14.B.Prabakaran  
15.P.Ananthakumar  
16.J.Kaliyamurthy  
17.B.Ganesan  
18.R.Jeyaraman  
19.S.Periyannan  
20.A.Muthumalai  
21.M.Karthikeyan  
22.P.Ravichandran  
23.K.Natarajan

... Respondents 3 to 23/  
Petitioners 1 to 5 & 7 to 22



PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent, against the order dated 27.06.2012, made in W.P.(MD) No.7744 of 2011.

Prayer in WP(MD). 7744/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus or any other Writ of Order or Direction in the nature of Writ directing the 2nd respondent to permit the petitioners to sign the attendance register.

For Appellant : Mr.R.Sreenivasan

For R1 & R2 : Mr.V.Muruganantham  
Additional Government Pleader

W.A.(MD)No.95 of 2014:-

Veldurai

... Appellant/3<sup>rd</sup> Petitioner

Vs.

1. The Commissioner,  
Hindu Religious and Charitable Endowments Department,  
Chennai - 600 034.

2. The Joint Commissioner,  
Arulmigu Mariamman Temple,  
Samayapuram, Trichy District.

... Respondents 1 & 2/  
Respondents

3.V.Subramanian

4.B.Mathukumar

5.K.Sudarsanan

... Respondents 3 to 5/  
Petitioners 1, 2 & 4

[Notice to the respondents 3 to 5 may be  
dispensed with, since they are formal parties]

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent, against the order dated 27.06.2012, made in W.P.(MD) No.7747 of 2011.

Prayer in WP(MD). 7747/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus or any other Writ of Order or Direction in the nature of Writ directing the 2nd respondent to permit the petitioners to sign the attendance register.



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For Appellant : Mr.R.Sreenivasan  
For R1 & R2 : Mr.V.Muruganantham  
Additional Government Pleader

**COMMON JUDGMENT**

**[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]**

Heard Mr.R.Sreenivasan, learned counsel appearing for the appellants and Mr.V.Muruganantham, learned Additional Government Pleader appearing for the respondents 1 and 2 in both the Writ Appeals.

2.These Writ Appeals are directed against the order, dated 27.06.2012 made in W.P.(MD)Nos.7744 & 7747 of 2011.

3.The appellants filed the Writ Petitions seeking a direction to the second respondent to permit them to sign the Attendance Register.

4.The abovesaid Writ Petitions were dismissed on the ground that unless the termination is declared as illegal, a direction cannot be given for restoration of the appellants in service. Furthermore, the respondents 1 and 2 took a specific stand that without calling for applications from the Employment Exchange and without any advertisement and without conducting interview, the appellants claimed to have been appointed and such appointment is wholly illegal. Thus, we are in entire agreement with the view expressed by the learned Single Judge, in W.P.(MD)Nos.7744 to 7748 and 9490 of 2011. Accordingly, the impugned order does not call for any interference by us. Hence, these Writ Appeals are dismissed. No costs.

Sd/-  
Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Commissioner,  
Hindu Religious and Charitable Endowments  
Department,

<https://hcservices.ecourts.gov.in/hcservices/>  
Chennai - 600 034.



2. The Joint Commissioner,  
Arulmigu Mariamman Temple,  
Samayapuram,  
Trichy District.

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+1cc to Mr.R.Nandakumar, Advocate Sr.No.54277

smn2

vb/mms/15.05.2017/4p/4c

**COMMON JUDGMENT MADE IN  
W.A. (MD) Nos.94 and 95 of 2014  
26.04.2017**