



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.06.2017

CORAM:

WEB COPY

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

W.A. (MD) No.832 of 2013
and
M.P. (MD) .No.1 of 2013

The Executive Officer,
Arulmighu Janagai Mariamman Thirukovil,
Cholavandan,
Vadipati Taluk,
Madurai District.

...Appellant/2nd respondent

Vs.

1.I.Parvathy,

...Respondent/Petitioner

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Madurai.

...2nd respondent/1st respondent

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent Act to set aside the order dated 29.10.2010 and made in W.P.(MD). No.1578 of 2006.

Prayer in WP(MD). 1578/ 2006 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court a WRIT OF MANDAMUS directing the respondents to disburse the arrears of pay and allowances from October 2004 onwards, which the petitioner is legally entitled to with all consequential, monetary and service benefits and pass such further or other orders as this Hon ble court may deem fit

For Appellant : Mr.G.R.Swaminathan

For R1 : Mr.A.Thirumurthy

For R2 : Mr.V.Muruganandham,
Additional Government Pleader

**JUDGMENT**

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

Heard Mr.G.R.Swaminathan, learned counsel for the appellant, Mr.A.Thirumurthy, learned counsel for the first respondent and Mr.V.Muruganandham, learned Additional Government Pleader for the 2nd respondent.

2.This appeal, by the Executive Officer of Arulmighu Janagai Mariamman Thirukovil, is directed against the order, dated 29.10.2010 in W.P(MD)No.1578 of 2006 wherein a direction was issued to pay the time scale of pay to the petitioner, which he was originally receiving, after she was appointed as Sweeper of the Temple.

3.The learned counsel appearing for the first respondent submitted that during pendency of the appeal, salary has been paid. Record of the proceedings shows that the appeal was not even entertained and notice was not ordered to the respondents and the case was only adjourned at the instance of the appellant. The reason assigned by the writ court for having issued the appropriate direction for payment of salary of Rs.1,200/- to the sweeper is just and proper and there is no interference required in the order of the writ court. Accordingly, the writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar

To

The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Madurai.

+1 cc to Mr.G.R.Swaminathan , Advocate in SR.No. 58950
+1 cc to Mr.A.Thirumurthy , Advocate in SR.No. 58878
+1 cc to Special Government Pleader in SR.No.58795

das/am

AE/MR/SAR3/22.06.2017/2P/5C

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