



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.05.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. (MD) .No.11610 of 2018

and

W.M.P. (MD) Nos.10579 and 10580 of 2018

Meenakshi Sundaram

...Petitioner

Vs.

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

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

3. The President/Special Officer,
Arulmigu Poonga Murugan Thirukkivil,
Thallakulam, Madurai - 2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the first respondent proceedings in R.P.No.45 of 2018 dated 03.04.2018 and quash the same and consequently issue a direction to the third respondent to reinstate me in service in the post of Basecor with back wages along with all attendant benefits.

For Petitioner : Mr.R.Udhayakumar

For R-1 and R-2 : Mr.M.Pandiarajan

Additional Government Pleader

ORDER

Mr.M.Pandiarajan, learned Additional Government Pleader takes notice for the respondents 1 and 2.

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

3. The petitioner has come up with the present writ petition seeking to quash the order passed by the first respondent in R.P.No.45 of 2018, dated 03.04.2018 and consequently issue a direction to the third respondent to reinstate the petitioner in service in the post of Basecor with back wages along with all attendant benefits.



4. According to the petitioner, he has filed a petition before the second respondent, namely, the Joint Commissioner, Hindu Religious and Charitable Endowments Department, in A.P.No.9 of 2017 seeking to set aside the order of suspension dated 17.11.2017, passed by the third respondent. Thereafter, the petitioner has filed an interim application in I.A.No.10 of 2018 in A.P.No.9 of 2017, wherein stay was granted by the second respondent and that was challenged by the third respondent before the first respondent, in which, the first respondent stayed the order passed by the second respondent in I.A.No.10 of 2018 in A.P.No.9 of 2017. The said order was challenged in the present Writ Petition.

5. Though, it is admittedly only an interim order which was granted by the second respondent and the same was stayed by the first respondent, in the interest of justice and without going into validity of the order passed by the first respondent in R.P.No.45 of 2018, it is just and necessary to direct the second respondent to dispose of A.P.No.9 of 2017, which is pending before him, within a period of one month from the date of receipt of a copy of this order, by giving opportunity to both the parties.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/

Assistant Registrar (AD-I)

/True Copy/

Sub Assistant Registrar

To

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

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

+1cc to Mr.R.Udhayakumar, Advocate SR.No.66229

LS/RJ2

VB/SKN/RSK/SAR2/06.06.2018/2P/4C

W.P. (MD) .No.11610 of 2018
30.05.2018