



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13055 of 2014
and
M.P.(MD)No.2 of 2014

M.E.M.Jeyasudha

... Petitioner

-Vs-

1.The Commissioner,
Hindu Religious & Charitable Endowment Department,
Chennai-600 034.

2.The Joint Commissioner / Executive Officer,
Hindu Religious & Charitable Endowment Department,
Incorporated and Unincorporated Devaswoms,
Suseenthiram, Kanyakumari District.

3.S.Jeevanantham

4.P.Ananthan

5.V.N.Sivakumar

..Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of impugned order of the 1st respondent in Na.Ka.No.47510/2012/U1 dated 15.07.2014 and quash the same as illegal and consequently direct the 1st respondent to place the petitioner in the first place in the seniority panel and promote the petitioner as Assistant in the 2nd respondent office with all consequential and monetary benefits within a time frame that may be stipulated by this Court.

For Petitioner : Mr.R.R.Kannan

For R1 : Mr.S.Srimathy
Special Government Pleader

For R2 : Mr.K.Sathiya Singh

For R3 : Mr.G.Kannan

For R4 and R5 : Mr.S.Bharathy Kannan

ORDER

The petitioner is working as typist in the office of the second respondent. The petitioner is aggrieved by non-consideration of her case for promotion to the post of Assistant. It is true that vacancy arose in the post of Assistant and the private respondents herein, who were working as Junior Assistants, were promoted to the said post. The petitioner was passed over. When the petitioner



made a representation, it was rejected. Hence, the present writ petition has been filed.

2. This Court spent a considerable time to see if the post of Typist in Kanyakumari District temples is in any feeder category. It is seen that there is no such feeder category for the post of Assistant in Kanyakumari District temples. The said temples were originally known as Hindu Religious & Charitable Endowment Department, Incorporated and Unincorporated Devaswoms. Now the said name has been changed. When the petitioner is not in the feeder grade, she cannot be considered and she was rightly passed over. Hence, there is no infirmity in the order passed by the respondent. Hence, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To
The Commissioner,
Hindu Religious & Charitable Endowment Department,
Chennai-600 034.

+1CC to Mr.K.Sathiya Singh, Advocate, SR.No. 57472
+1CC to Mr.RR.Kannan, Advocate, SR.No. 57835

W.P. (MD) No. 13055 of 2014
22.03.2018

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AM/SKN RSK/SAR 4/22.05.2018/2P/4C