

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No. 18861 of 2019

C. Dhamodharan

... Petitioner

-vs-

1. The Joint Commissioner,
HR&CE Department,
Salem.
2. The Assistant Commissioner,
HR&CE Department,
Salem.
3. The Executive Officer,
Arulmighu Alagirinatha Swamy Temple,
Fort, Salem.
4. C. Perumal
5. C. Vijayan
6. C. Arumugham
7. C. Radhakrishnan
8. C. Manoharan
9. S. Shanmugam
10. A. Radhakrishnan
(Tenth Respondent impleaded vide order
dated 21.08.2019 in W.M.P. No. 24480 of
2019)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the First Respondent pass orders in I.A. N. 3 of 2017 in O.A. No. 14 of 2014 on his file within a specified date.

For Petitioner : Mr. V. Bhiman

For Respondent : Mr. M. Maharaja for R1 and R2,
Learned Special Govt. Pleader (HR&CE)

Mr. K. Ashok Kumar for R3

Mr. Parthikannan for R4, R6, R7 & R8

Mr. A. Abdul Razakaahin for R5

Mr. J. Prithivi for R9

Mr. A. Radhakrishnan for R10
(Party-in-person)

O R D E R

Heard Mr. V. Bhiman, Learned Counsel for the Petitioner, Mr. M. Maharaja, Learned Special Government Pleader appearing for the First and Second Respondents, Mr. K. Ashok Kumar, Learned Counsel appearing for the Third Respondent, Mr. Parthikannan, Learned Counsel appearing for the Fourth, Sixth, Seventh and Eighth Respondents, Mr. A. Abdul Razakaahin, Learned Counsel appearing for the Fifth Respondent, Mr. J. Prithivi, Learned Counsel appearing for the Ninth Respondent and Mr. A. Radhakrishnan, who has appeared Party-in-person and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed by the Petitioner for directing the First Respondent to pass orders in I.A. N. 3 of 2017 in O.A. No. 14 of 2014.

3. Learned Special Government Pleader appearing for the First and Second Respondents, on instructions, has filed a memo stating that though orders have been reserved by the First Respondent in I.A. No. 3 of 2017 in O.A. No. 14 of 2014 after conducting detailed enquiry, the incumbent in that post has subsequently retired from service and that the Deputy Commissioner, Arulmighu Bannari Amman Temple, Bannari, Erode District is holding additional charge of that post. It is informed that the said official would issue notice to the parties and after hearing them final orders would be passed.

4. In the aforesaid circumstances, the officer holding charge of the post of Joint Commissioner, Hindu Religious and Charitable Endowments Department, Salem shall issue notice to

all the parties concerned including the Tenth Respondent, if an application for impleading is filed by him and after affording full opportunity of hearing to all the parties reasoned orders on merits in accordance with law shall be passed dealing with each of the contentions raised and decision taken shall be communicated to all the parties under written acknowledgement and the report of the compliance shall be filed before the Registrar (Judicial) of this Court by 15.12.2019.

5. Accordingly, the Writ Petition is disposed on the aforesaid terms. No costs.

Sd/-
Assistant Registrar(Insp.Cell)

//True Copy//

Sub Assistant Registrar

To

1. The Joint Commissioner,
HR&CE Department,
Salem.
2. The Assistant Commissioner,
HR&CE Department,
Salem.
3. The Executive Officer,
Arulmighu Alagirinatha Swamy Temple,
Fort, Salem.
4. The Registrar Judicial,
High Court, Madras-104.

+1cc to Mr. A. Radhakrishnan, Advocate sr.71696
+1cc to Mr.A.K.Kumarasamy, Advocate sr.71886
+1cc to Mr.V.Bhiman, Advocate sr.71972
+1cc to Mr.K.Ashok Kumar, Advocate sr.72046
+1cc to Government Pleader sr.72880

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nr 18/10/2019