



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: 18.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

**W.P. (MD) Nos. 6343 and 6344 of 2019**

**and**

**W.M.P. (MD) Nos. 5064 and 5065 of 2019**

S.Senthilkumar ... Petitioner in W.P.(MD)No.6343 of 2019

S.Murugesan ... Petitioner in W.P.(MD)No.6344 of 2019

Vs

1.The Assistant Commissioner,  
Tamilnadu Hindu Religious and  
Charitable Endowment Board,  
Madurai.

2.Thakkar/Fit Person,  
Arulmighu Baladandyudhapani Swami Tirukoil,  
Kulasekarankottai,  
Vadipatti Taluk,  
Maduari District.

... Respondents in both W.Ps

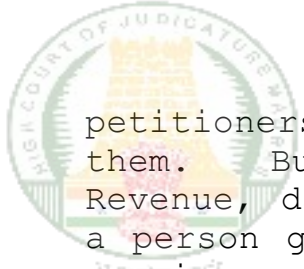
**COMMON PRAYER:** Petitions filed under Article 226 of the Constitution of India to issue a Writ of Ceriorarified Mandamus, calling for the records relating with the order of the 2<sup>nd</sup> respondent made in Se.Mu.Na.Ka.No.1-1/2019, Se.Mu.Na.Ka.No.1-2/2019 respectively dated 04.03.2019 and quash the same as it is arbitrary and illegal and one without jurisdiction and in consequence to direct him to permit the petitioner to do the management and Poojas in the Arulmighu Baladandyudhapani Swami Tirukoil, Kulasekarankottai.

For Petitioner : Mr.R.Suriyanarayanan  
(in both W.Ps.)

For Respondents : Mr.R.Sethuraman  
(in both W.Ps.) Special Government Pleader for R1  
: Mr.R.Muthu Geethaiyan for R2

**COMMON ORDER**

Heard the learned counsel on either side.



petitioners' guilty of misconduct and charges were framed against them. But then, the procedure laid down in G.O.Ms.No.4524, Revenue, dated 05.11.1960, has not been followed. Before holding a person guilty, an enquiry must be conducted. In this case, no enquiry was conducted. On this sole ground, the order impugned in these writ petitions is quashed. The Writ Petitions stand allowed. The matters are remitted to the file of the second respondent to pass orders afresh in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

To

The Assistant Commissioner,  
Tamilnadu Hindu Religious and  
Charitable Endowment Board,  
Madurai.

+2 CC to M/s.M.MUTHUGEETHAYAN, Advocate ( SR-54809,54808[F] dated 18/03/2019 )

+2 CC to M/s.R.SURIYANARAYANAN, Advocate ( SR-55048,55049[F] dated 19/03/2019 )

+1 CC to M/s.SPL GP ( SR-54994,54995[F] dated 19/03/2019 )

IAS

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**18.03.2019**

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