



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.9868 of 2019 and
WMP (MD) .No.7746 of 2019

B. Karthick

... Petitioner

Vs.

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

2.The District Collector,
Sivagangai District,
Sivagangai.

3.The Joint Commissioner,
The Hindu Religious and Charitable Endowment Department,
Sivagangai.

4.The Executive Officer / The Assistant Commissioner,
The Hindu Religious and Charitable Endowment Department,
Arulmigu Adaikalam Katha Iyyanar
Sri Pathirakalaimman Temple,
Madapuram, Thirupuvanam,
Sivagangai District.

5.The Trustee,
Arulmigu Adaikalam Katha Iyyanar
Sri Pathirakalaimman Temple,
Madapuram, Thirupuvanam,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to pass orders on the proceedings of 4th respondent in ந.க.நா.285/2014/அ3 dated 25.08.2014 and thereby appoint the petitioner as Natheswaram Vidwan (Othu) in Arulmigu Adaikalam Katha Ayyanar and Sri Pathirakaliamman Temple at Madapuram, Thirupuvanam, Sivagangai District.

For Petitioner

: Mr.T. S. Mohammed Mohideen

For R1 to R3

: Mrs. J. Padmavathy Devi
Special Government Pleader

<https://hcservices.ecourts.gov.in/hcservices/>

For R4

: Mr. C. Guhaseelarupan

ORDER

This writ petition has been filed seeking to direct the first respondent to pass orders on the proceedings of the 4th respondent in N.K.No.285/2014/3, dated 25.08.2014 and thereby appoint the petitioner as Natheswaram Vidwan (Othu) in Arulmigu Adaikalam Katha Ayyanar and Sri Pathirakaliamman Temple at Madapuram, Thirupuvanam, Sivagangai District.

2. Mrs. J. Padmavathy Devi, learned Special Government Pleader takes notice for the respondents 1 to 3 and Mr.C.Guhaseelarupan, learned counsel takes notice for the 4th respondent. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he is a Natheswara Vidwan and he is eligible to be appointed as a Natheswara Vidwan (Othu) in Arulmigu Adaikalam Katha Ayyanar and Sri Pathirakaliamman Temple at Madapuram, Thirupuvanam, Sivagangai District. The third respondent, by his communication dated 11.02.2011, made a recommendation to the first respondent appointing the petitioner as Natheswara Vidwan in the said temple on consolidated pay of Rs.4,500/- per month. On receipt of the same, the first respondent directed the fourth respondent to take steps to fill up the vacancies as per the prevailing Rules. Thereafter, the fourth respondent, vide his proceedings dated 25.08.2014, sought permission from the first respondent through the third respondent, to appoint the petitioner as Natheswara Vidwan (Othu) in the said temple in the scale of pay of Rs.4100-10000-GP 1300 and the same has not been considered by the first respondent, till date. Hence, this writ petition.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the claim of the petitioner, seeking appointment as Natheswara Vidwan (Othu), on the basis of the proceedings dated 25.08.2014 sent by the fourth respondent and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)



To

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

2. The District Collector,
Sivagangai District,
Sivagangai.

3. The Joint Commissioner,
The Hindu Religious and Charitable Endowment Department,
Sivagangai.

4. The Executive Officer / The Assistant Commissioner,
The Hindu Religious and Charitable Endowment Department,
Arulmigu Adaikalam Katha Iyyanar
Sri Pathirakalaimman Temple,
Madapuram, Thirupuvanam,
Sivagangai District.

+1CC TO MR.T.S.MOHAMED MOHIDHEEN, Advocate Sr. No.62116

+2CC TO MR.C.GUHASEELARUPAN, Advocate Sr. No. 62181

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 62474

W.P (MD) No.9868 of 2019
24.04.2019

GKG (CO)

TR (04.06.2019) 5P 9C