



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
W.P. (MD) No.17507 2018

and

W.M.P. (MD) No.15387 of 2018

S.Srinivasa Ragavan

... Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments
(Administration) Department,
Uthamar Gandhi Adigal Salai,
Nungambakkam,
Chennai-600034.

2.The Assistant Commissioner/Executive Officer,
Arulmighu Devasamy Temple,
Chinnakancheepuram,
Kancheepuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records culminated in the Sua Motu Revision No.4/2018/D2, dated 21.06.2018 on the file of the first respondent and quash the same as illegal, unwarranted, without jurisdiction, ultravires and for mandamus directing the second respondent to permit the petitioner to perform the Archaka service through his authorized and qualified agent in Arulmighu Devarajasamy Temple Devasthanam Chinna Kancheepuram for the present Vilambi year.

For Petitioner

:Mr.R.Ponkarthikeyan

For Respondents

:Mr.M.Rajarajan
Government Advocate

ORDER

The writ petitioner is an Archakar working in the second respondent temple. He wanted a substitute to be appointed in his place. He made a request and the same was also accepted. Thereafter, the first respondent herein initiated suo motu proceedings for revising the order made in favour of the writ petitioner. This impugned communication initiating suo motu proceedings is questioned in this writ petition.

2.When the matter was taken up for hearing, the learned counsel appearing for the petitioner, on instructions, submitted that the petitioner has undergone a change of heart. He would rather perform the Archakar duty himself and he does not want any substitute to be appointed in his place. Thus, the very basis, on which the impugned communication rests, has now been undermined.



3.I am of the view that the impugned order can be quashed. Recording the said submission of the petitioner's counsel, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar(Writs)

/TRUE COPY/

Sub Assistant Registrar(CS)

To

1.The Commissioner,
Hindu Religious and Charitable Endowments
(Administration) Department,
Uthamar Gandhi Adigal Salai,
Nungambakkam,
Chennai-600034.

2.The Assistant Commissioner/Executive Officer,
Arulmighu Devasamy Temple,
Chinnakancheepuram,
Kancheepuram District.

+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-63238[F] dated 27/04/2019)

+1 CC to M/s.SPL GP (SR-63374[F] dated 27/04/2019)

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and
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CS (MK) : 10/05/2019/2P/5C