



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **06.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.A. (MD)No.756 of 2019

C.Ravi

... Appellant/Petitioner

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
No.91, Uthamar Gandhi Street,
Nungampakkam,
Chennai-9.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
B1 Street, Ellis Nagar, Madurai-625 001.

3.The Executive Officer,
Arulmigu Suyambu Saneeswara Bhagawan Temple,
Kutchanur, Uthamapalayam Taluk,
Theni District.

..Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letter Patent Act, to allow the writ appeal and set aside the order passed in W.P.(MD)No.17147 of 2017, dated 13.03.2019 on the file of this Court.

Prayer in WP(MD). 17147/ 2017 :

This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of writ of mandamus directing the Respondents to permit the petitioner serve as the Ticket Seller in the temporary service until the post is sanctioned for regularization of the petitioner as per the submission recorded in W.A (MD)NO.120 of 2016 .

For Appellant : Mr.S.Louis

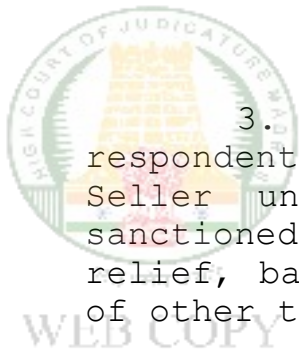
For Respondents : Mr.V.P.Rajan

JUDGMENT

[Judgment of this Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.S.Louis, learned counsel for the appellant and Mr.V.P.Rajan, learned counsel for the respondents.

2. This appeal has been filed by the unsuccessful writ petitioner challenging the order dated 13.03.2019.



3. The writ petitioner sought for a direction to the respondent Temple to permit him to function as temporary Ticket Seller until the post is regularized by the Government or sanctioned by the Government. The petitioner seeks for such relief, based upon the orders passed by the Department in respect of other temple employees.

4. In our considered view, that cannot be a yardstick. The temporary employee employed on daily wages or consolidated fund cannot as a matter of right seek for regularization. Merely because few of them have been regularized, that cannot be treated as a precedent. Apart from that no such post can be granted. Hence, we cannot issue any direction, directing the respondent Temple to permit the appellant to work as temporary Ticket Collector. Therefore, we find no ground to interfere with the order passed in the writ petition. Accordingly, this writ appeal fails and the same stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

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TO

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+1 CC to M/s.V.P.RAJAN, Advocate (SR-96806[F] dated 07/11/2019)

+1 CC to M/s.S.LOUIS, Advocate (SR-96814[F] dated 07/11/2019)

ORDER MADE IN
W.A. (MD)No.756 of 2019
06.11.2019

_KM/ (25.11.2019) 2P 6C