



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

WP(MD)No.17147 of 2017

C.Ravi

... 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

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to permit the petitioner to 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 WA(MD)No.120 of 2016 within the time stipulated by this Court.

For Petitioner	: Mr.T.Lajapthi Roy,
For Respondent	: Mr.CM.Marichellaiah Prabhu
Nos.1 and 2	Additional Government Pleader
For Respondent	: Mr.R.R.Kannan
No.3	

ORDER

This writ petition has been filed seeking to direct the respondents to permit the petitioner to serve as the Ticket Seller in the temporary service until the post is sanctioned and for regularization of the petitioner as per the submission recorded in WA(MD)No.120 of 2016 within the time stipulated by this Court.

2. Heard both sides and perused the materials available on record.
<https://hcservices.ecourts.gov.in/hcservices/>



3.A Division of Bench of this Court in WA(MD)No.120 of 2016, by order dated 22.01.2016 observed as follows:

"5.Insofar as the disposal of the representation dated 16.09.2015 is concerned, we put a query to the learned Counsel for the respondent as to why repeated representations have been made on the same issue. Learned Counsel states that the last representation arose out a post being created and the request of the respondent to be considered for regularisation against the said post.

6.On the other hand, learned Special Government Pleader for the appellant states that the post has not been sanctioned as yet and is still pending consideration. He further submits as and when the post is sanctioned, the respondent will be considered in accordance with rules, along with other people."

4.According to the learned Additional Government Pleader and the learned Standing Counsel appearing for the respective respondents, such post has not been sanctioned and approved by the Government yet.

5.In the light of the above submission as well as taking note of the Division Bench Order, this Court is of the view that the petitioner cannot agitate the very same issue again in this writ petition and hence, the prayer in this writ petition is liable to be rejected.

6.Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar(Writs)

// True Copy //

Sub Assistant Registrar(CS)

To

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

2.The Joint Commissioner,
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3.The Executive Officer,
Arulmigu Suyambu Saneeswara Bhagawan Temple,
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WEB COPY

+1 CC to M/s.RR.KANNAN, Advocate in SR-53836
+1 CC to M/s.T.LAJAPATHI ROY, Advocate in SR-53908
+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.53990

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13.03.2019

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PK/08.05.2019 : 3P/7C