



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2019

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**  
**and**  
**THE HONOURABLE MRS.JUSTICE R.THARANI**

**W.P. (MD)No.21046 of 2019**  
**and**  
**W.M.P. (MD)Nos.17646 and 17648 of 2019**

M.Vasudevan

... Petitioner

Vs.

- 1.The Government of Tamil Nadu,  
Tamil Development, Religious Endowments  
and Information Department,  
Principal Secretary to the Government,  
Secretariat, Fort St. George, Chennai.
- 2.The Principal Secretary / Commissioner,  
Hindu Religious and Charitable Endowments Department,  
119, Uthamar Gandhi Salai,  
Thousand Lights West,  
Nungambakkam,  
Chennai, Tamil Nadu-600 034.
- 3.The Executive Officer,  
Arulmighu Soundararaja Perumal Thirukovil,  
Thadikombu, Dindigul District.
- 4.The Thakkar,  
Arulmighu Soundararaja Perumal Thirukovil,  
Thadikombu,  
Dindigul District.
- 5.The Electrical Licensing Authority,  
Tamil Nadu Electricity Board,  
Guindy, Chennai-32.

..Respondents

**PRAYER** : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Declaration, to declare the "Annexure IV" contemplated under Rule 5C (3) of the Tamil Nadu Hindu Religious Institutions (Officers and Servants) Service Rules, 1964 passed by the first respondent as Null and Void as far as prescribing the qualification for the



post of Electrician to possess "C" Supervisor Competency Certificate is concerned and to declare consequential notification dated 11.09.2019, under proceeding No.வெ.ஆ.எண்.119/செ.ம.தொ.அ.திண் 00 கல்/2019 passed by the third and fourth respondents as null and void as far as prescribing the qualification for the post of electrician to possess "C" Supervisor Competency Certificate is concerned and further declare the qualification for the post of electrician to possess "B" Wireman Competency Certificate.

|                 |                                                       |
|-----------------|-------------------------------------------------------|
| For Petitioner  | : Mr.K.R.Laxman                                       |
| For RR1,2,4 & 5 | : Mr.V.R.Shanmuganathan<br>Special Government Pleader |
| For R3          | : Mr.V.Muthugeethaiyan<br>Standing counsel            |

**ORDER**

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

Heard Mr.K.R.Laxman, learned counsel for the petitioner, Mr.V.R.Shanmuganathan, learned Special Government Pleader, for the respondents 1, 2 4 & 5 and Mr.V.Muthugeethaiyan, learned Standing Counsel for the third respondent.

2. This writ petition has been filed to declare the Annexure IV as null and void.

3. After hearing the learned counsel for the parties and perusing the impugned Rule, we find that on the grounds raised by the petitioner, we cannot declare a Rule as null and void. The petitioner seeks to invalidate the Rule on the ground that as of now, no "C" Farm is being issued and only "B" certificates are available. On the ground raised by the petitioner, the Rule cannot be declared as null and void. Further more, the recruitment notification issued by the respondent temple is in consonance with the Rule and applications have been called for and the last date of submission of application is 18.10.2019 by 05.45 p.m..

4. Admittedly, the petitioner is working as temporary electrician in the very same temple and the present writ petition appears to be for certain other purposes, other than to declare the Rule as null and void. In any event, we cannot entertain a challenge to the Rule, as we find that there is no error in the Rule. That apart, the writ petition is premature, since the last date of application is 18.10.2019 and the petitioner has also applied for the post. Therefore, it is well open to the authorities to take a decision in the matter and we cannot declare a Rule as null and void. Accordingly, this writ petition is dismissed. However, the dismissal of this writ petition cannot prevent the petitioner from



participating in the recruitment process. Further, the ultimate decision vests with the respondent, who shall decide in accordance with law. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (P&A)

// True Copy //

Sub Assistant Registrar(CS )

To

- 1.ThePrincipal Secretary to the Government,  
Government of Tamil Nadu,  
Tamil Development, Religious Endowments  
and Information Department,  
Secretariat, Fort St. George, Chennai.
  2. The Principal Secretary / Commissioner,  
Hindu Religious and Charitable Endowments Department,  
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  3. The Thakkar,  
Arulmighu Soundararaja Perumal Thirukovil,  
Thadikombu, Dindigul District.
  4. The Electrical Licensing Authority,  
Tamil Nadu Electricity Board,  
Guindy, Chennai-32.
- +1 CC to Mr.M.THUGEETHAYAN, Advocate( SR-90367[F] dated 30/09/2019 )

**ORDER MADE IN**  
**W.P. (MD)No.21046 of 2019**  
**30.09.2019**

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VB(21.10.2019) 3P 6C