



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.22541 of 2019

WEB COPY

P.Shankar Kumar

... Petitioner

-Vs-

1.The Commissioner

Hindu Religious and Charitable Endowment Department
Fort St.George
Chennai 600 009

2.The Joint Commissioner/Executive Officer

Arulmghu Dhandayuthabani Swami Temple
Adivaram
Dindigul District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to provide the job to the petitioner as Hereditary right in the premises of the 2nd respondent Devasthanam in the place of his maternal uncle namely Ramasamy in the Identity No.138 on the basis of the petitioner's representation, dated 10.08.2019.

For Petitioner : Mr.S.Sadeskumar

For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader

ORDER

The writ petition has been filed for a direction to the 2nd respondent to provide job to the petitioner as Hereditary right in the premises of the 2nd respondent Devasthanam in the place of his maternal uncle namely, Ramasamy in Identity No.138, on the basis of the petitioner's representation, dated 10.08.2019.

2.According to the petitioner, his grandfather Malan Pandidhar was working as a Barber in the second respondent temple. After his death, the petitioner's maternal uncle namely, A.M.Ramasamy was appointed in the said post, after other legal heirs, including the petitioner's mother, who is one of the daughter of Malan Pandidhar, gave no objection for the appointment of the said A.M.Ramasamy. After such appointment, the said A.M.Ramasamy, uncle of the petitioner did not maintain the wife of Malan Pandidhar. Now, A.M.Ramasamy is retired and his sons are in Government Service. In this circumstance, the petitioner gave a representation to the respondents to appoint him as a Barber in the second respondent temple in the place of A.M.Ramasamy in Identity



No.138.

3. At this juncture, Mr.V.R.Shanmuganathan, learned Special Government Pleader produced the proceedings, dated 17.07.2019 and submitted that the second respondent temple appointed one S.Senthilkumar, who is a nephew of A.M.Ramasamy as a Barber in the second respondent temple with Identity No.138.

4.From the materials on record, it is seen that the petitioner is claiming Hereditary right to work as a Barber in the second respondent temple and made allegations against his maternal uncle A.M.Ramasamy that he is not maintaining his grandmother. But, the petitioner has not produced No Objection Certificate from the legal heirs of A.M.Ramasamy and has not produced any document to show his Hereditary right.

5.In view of the above facts and submissions of the learned Special Government Pleader, this Writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar(CS)

msa
To

1.The Commissioner
Hindu Religious and Charitable Endowment Department
Fort St.George
Chennai 600 009

2.The Joint Commissioner/Executive Officer
Arulmghu Dhandayuthabani Swami Temple
Adivaram
Dindigul District

+1 CC to M/s.SPL GP (SR-94630[F] dated 25/10/2019)

+1 CC to M/s.S.SADES KUMAR, Advocate (SR-95003[F] dated 30/10/2019)

W.P. (MD) No.22541 of 2019
24.10.2019

_KK/SAR/26.11.2019/2P-5C/