



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.25463 of 2019

WEB COPY

V.P.Radhakrishnan

... Petitioner

-Vs-

1.State of Tamil Nadu,

Rep. by its Principal Secretary to the Government,
Department of Tourism,
Culture & Religious Endowments,
Secretariat,
Chennai-9.

2.The Commissioner of Hindu Religious &
Charitable Endowments,
Hindu Religious & Charitable Endowments,
Nungambakkam,
Chennai-034.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.1 to dispose of the appeal petition preferred by the petitioner dated 16.05.2019 within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.VR.Shanmuganathan,
Special Government Pleader

ORDER

The present writ petition is filed for a direction to the first respondent to consider and pass orders on the petitioner's appeal dated 16.05.2019 within the time frame to be fixed by this Hon'ble Court.

2. According to the learned counsel for the petitioner, the petitioner was appointed as Executive Officer Grade-IV in the year 2000 at Arulmigu Meenakshi Sundareswarar Kovil, Tirunelveli Junction and subsequently, he was directed to take additional incharge of Arulmigu Venkatachalapathy Thirukovil, Melathiruvenkatanathapuram, Tirunelveli District, on 13.02.2012. While he was working as Executive Officer Grade II at Medai Thalavai Kattalai, Tirunelveli Junction, he was provided with additional incharge post at Arulmigu Venkatachalapathy Thirukovil, Melathiruvenkatanathapuram. He took additional charge of Arulmigu



Venkatachalapathy Thirukoil on 12.03.2012. On 11.07.2014, he was relieved from the additional in charge post. He has handed over all the accounts and other jewels and ornament bags in the presence of concerned Thakkar to the succeeding Executive Officer. During the said period, the Trustee of the Arupathimoor Annadhan Kattalai, Pettai, Tirunelveli, had gone to Delhi and has returned after long period and therefore, the same resulted in delay in handing over the jewel bags and other ornament bags to succeeding Executive Officer due to want of Takkar's Key. On 10.09.2015, the Joint Commissioner of HR & CE, has framed 5 charges against the petitioner regarding the above said delay and missing of 172.650 grams of Gold with Arakku. The petitioner submitted the proper explanation and he has participated in the enquiry. Further, an order of recovery to the tune of Rs.7,44,739/- was made and he has also deposited the said amount without prejudice to his right. After two years, the second respondent issued the order of termination, dated 26.03.2019. Thereafter, the petitioner has filed an appeal petition before the first respondent on 16.05.2019 and the same is pending. Hence, the petitioner has come out with the present writ petition for the above said relief.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4. Considering the limited relief sought for by the petitioner in the writ petition and the submission of the learned counsel for the petitioner, without deciding the issue on merits, the first respondent is directed to consider and dispose the appeal dated 16.05.2019, filed by the petitioner, within a period of six months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar (CS)

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To

1. The Principal Secretary to the Government,
Department of Tourism,
Culture & Religious Endowments,
Secretariat,
Chennai-9.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Commissioner of Hindu Religious &
Charitable Endowments,
Hindu Religious & Charitable Endowments,
Nungambakkam,
Chennai-034.

+1 CC to MR.T.LAJAPATHI ROY, Advocate (SR-103092[F] dated
03/12/2019)

+1 CC to SGP (SR-102991[F] dated 02/12/2019)

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29.11.2019

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