

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.2338 of 2020

S.Elumalai

: Petitioner

vs.

1. The Secretary,
Hindu Religious & Charitable Endowments Department,
Fort St. George,
Chennai - 600 009.
 2. The Commissioner,
Hindu Religious & Charitable Endowments Department,
No.119, Utthamar Gandhi Saladi,
Thousand Light West, Nungambakkam,
Chennai - 600 034.
 3. The District Collector,
Officer of the Collectorate,
Thiruvannamalai District.
 4. The Joint Commissioner/Executive Officer,
Arulmigu Arunachaleswarar Temple
Thiruvannamalai - 606 601.
- : Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 4th respondents to implement the 2nd respondent proceedings Na.Ka.No.52261/2012/I1 dated 12.10.2015 and Na.Ka.No.52261/2012/I1 dated 08.11.2015 and to consider the representation of the petitioners dated 25.05.2018, 22.07.2019 to pass orders within a stipulated time.

For Petitioner : Mr.G.Paramasivam

For Respondents : Mr.M.Karthikeyan
Special Government Pleader
for R1, R2 & R4

Mr.P.V.Selvakumar
Additional Government Pleader
for R3

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 4th respondent to implement the proceedings of the 2nd respondent dated 12.10.2015 and 18.11.2015 by considering the representation made by the petitioner.

2.The case of the petitioner is that he was appointed as a Guard at Arunchaleswarar Temple in Thiruvannamalai District. Initially, the petitioner was given daily wages. Thereafter, the petitioner was transferred for a short period of time. In the year 2012, the daily wage salary was increased and according to the petitioner, this benefit was not extended to the petitioner in spite of he being engaged as a Guard.

3.The further case of the petitioner is that the 1st respondent issued proceedings dated 12.10.2015 wherein, the persons who are working on daily wages for more than five years have been directed to be considered for permanent employment. A list was prepared by the 2nd respondent and the grievance of the petitioner is that his name has been left out from the list. This list was prepared in the year 2015. The petitioner made a representation to the 4th respondent in this regard. However, the name of the petitioner was not added in the list. The petitioner had made a further representation to the 4th respondent on 25.05.2018 and 22.07.2019 and since these representations were not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.G.Paramasivam, learned counsel appearing on behalf of the petitioner, Mr.M.Karthikeyan, learned Special Government Pleader appearing on behalf of the respondents 1, 2 and 4 and Mr.P.V.Selvakumar, learned Special Government Pleader appearing on behalf of the 3rd respondent.

5.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 4th respondent to consider the representations made by the petitioner on 25.05.2018 and 22.07.2019 and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 4th respondent along with the copy of the representations dated 25.05.2018 and 22.07.2019 and a copy of this order.

6.This writ petition is disposed of with the above directions. No Costs.

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

ssr

To

1. The Secretary,
Hindu Religious & Charitable Endowments Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner,
Hindu Religious & Charitable Endowments Department,
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Arulmigu Arunachaleswarar Temple
Thiruvannamalai - 606 601.

+1cc to Mr.G.Paramasivam, Advocate, SR.No.8947.

+2ccs to Government Pleader, SR.No.8780(HR & CE) & 8571.

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PP(CO)
CSR: 28.02.2020

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