

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2020

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

Writ Petition No.8503 of 2012

R.Rathnavelu

... Petitioner

Vs

The Joint Commissioner of
HR & CE,
Salem.

..... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus to call for the records to the impugned communication of the respondent in N.K.No.7463/2008/B2, dated 15.03.2012 and quash the same consequently direct the respondent to furnish the copies of the documents to the petitioner as requested by him in his representation dated 15.02.2011 before proceeding with the enquiry on the charges against the petitioner in the memo of charges in N.K.No.7463/2008/B2, dated 04.11.2011 issued by the respondent.

For petitioner : M/s.R.Neelakandan

For respondent : Mr.R.Venkatesan
Government Advocate

ORDER

This writ petition has been filed challenging the communication of the respondent dated 15.03.2012 and for a consequential direction to direct the respondent to furnish a copy of the documents to the petitioner as requested by him in his representation dated 15.12.2011 before proceeding with the enquiry on the charges against the petitioner in a memo of charges in Na.K.No.7463/2008 B2, dated 04.11.2011 issued by the respondent.

2. It is the case of the petitioner that he is the Hereditary Trustee of Arulmighu Ayyanarappan Temple situated at Vembaneri Village in Edappady Taluk, Salem District. According

to him, the Commissioner, HR & CE department issued show cause notice to him seeking explanation from him as to why an Executive Officer shall not be appointed to the aforementioned Temple based on the allegations of mismanagement made against him.

3. According to the learned Government Advocate appearing for the respondent, subsequent to the filing of the writ petition, an enquiry was conducted and recommendations have also been given by the Commissioner HR & CE on 18.09.2016 to the Joint Commissioner, HR & CE as well as, the Chief Audit Officer for removal of the petitioner as Hereditary Trustee in the aforementioned Temple. A copy of the aforementioned recommendations have also been given to the learned counsel for the petitioner by the learned Government Advocate.

4. In view of the above, nothing survives for adjudication in this writ petition as enquiry has already been conducted and final orders passed. Accordingly the writ petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsi2
To

The Joint Commissioner of HR & CE,
Salem.

+lcc to the Special Government Pleader Sr.6346

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rsv[col]
srg 25/02/2020

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