



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No. 35125 of 2019
and

W.M.P.No. 35922 of 2019

R.Sidharthan

... Petitioner

..Vs..

1.The Revenue Divisional Officer,
Thiruchengode,
Namakkal District - 637 211.

2. The Joint Commissioner,
The Hindu Religious Charitable Endowments Department,
Kottai Mariamman Temple Complex,
Salem - 1.

3. The Assistant Commissioner,
The Hindu Religious Charitable Endowments Department,
Ellandi Amman Temple Street,
Namakkal - 1.

4. The Executive Officer,
The Hindu Religious Charitable Endowments Department,
A/m. Vella Kal Mariamman Temple,
Deverayasamuthiram Village,
Pothanoor, having office at Prasanna Vengkatasamy Temple,
Pandamangalam, Paramathi Velur Taluk,
Namakkal District - 637 208.

5. Sabapathi Iyer

6. Sengutuvan

7. Sathasivam

8. Meganathan

9. Balamurugan

10. Mani



11. Kanthasami

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for records pertaining to the proceedings Mo.Mu.2928/2019/C, dated 30.10.2019, on the file of the 1st Respondent and quash the same.

For Petitioner	: Mr.S.Vediyappan
For Respondents	: Mr.N.Umapathi
R1	: Mrs.P.Rajalakshmi AGP
R2 to 4	: Mr.M.Maharaja
	Special Government Pleader

O R D E R

This writ petition has been filed in the nature of Certiorari to call for the records pertaining to the proceedings in Mo.Mu.2928/2019/C, dated 30.10.2019, on the file of the 1st respondent and quash the same.

2. The writ petitioner R.Sidharthan, resides in Devaraya Samuthiram Village Pothanoor, Paramathi Velur Taluk, Namakkal District. In the said village, there is Arulmighu Vella Kal Mariamman Temple. The Executive Officer of the said temple is the 4th respondent herein. They are conducting various religious functions of the temple and nine candidates have been selected and nominated and their names have been given in the impugned order. The petitioner is aggrieved with the inclusion of Thiru.Balamurugan, who is shown as the 9th respondent herein.

3. Heard Mr.S.Vediyappan, learned counsel for the petitioner, Ms.Rajalakshmi, learned Additional Government Pleader appearing for the first respondent and N.Umapathi, learned counsel appearing for the 9th respondent.

4. It is the case of the petitioner that the Revenue Divisional Officer invited applications for the post of kariyakarars. It is stated that the petitioner actually participated in the proceedings and thereafter, examining the credential of the each person, the first respondent appointed a new set of 7 kariyakarars. It is complained by the learned counsel for the petitioner that the petitioner was left out in the list of members to function as Kariyakarars and ninth respondent name was included. This Court by an order dated 18.12.2019 directed the petitioner to file an affidavit of undertaking in this regard. The petitioner has filed an affidavit stating that he will abide with the conditions of the order dated 30.10.2019, if he is to be appointed as one of Kariyakarars. The first respondent, namely, Revenue Divisional



Officer is the Authority to take a decision in this regard. Therefore first respondent is directed to pass appropriate order in this regard after considering the credentials of the petitioner and the affidavit submitted by him in this regard. This exercise is to be conducted after the month of Chithirai and after getting permission from the Commissioner, HR & CE, in this regard.

5. The writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Revenue Divisional Officer,
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Namakkal District - 637 211.

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Pothanoor, having office at Prasanna Vengkatasamy Temple,
Pandamangalam, Paramathi Velur Taluk,
Namakkal District - 637 208.

+lcc to Mr.S.Vediappan, Advocate Sr.10544
+lcc to the Government Pleader Sr.10902
+lcc to Mr.N.Umapathi, Advocate Sr.11351
+lcc to the Special Government Pleader Sr.11002

W.P.No. 35125 of 2019
and
W.M.P.No. 35922 of 2019

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srg 14/07/2020