



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.9906 of 2010

and

M.P (MD) .No.1 of 2010

WEB COPY

S.Ramakrishnan

... Petitioner

Vs.

1.The Joint Commissioner of Hindu Religious
and Charitable Endowments Department,
Tirunelveli-627 002.

2The Assistant Commissioner of Hindu Religious,
and Charitable Endowments Department,
Tirunelveli-627 002.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records in pursuant to the Impugned order passed by the second respondent in Se.Mu.Na.Ka.No.1001/10/Aa4/dated 22.06.2020 and quash the same.

For Petitioner: Mr.M.Saravanakumar

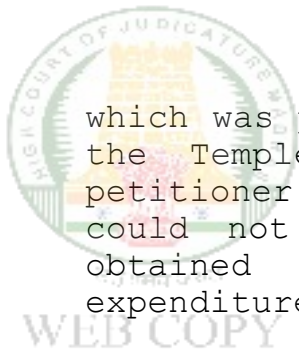
For Respondents: Mr.M.Karuppasamy
Government Advocate

ORDER

The order of recovery issued in proceeding dated 22.06.2010 is under challenge in the present writ petition.

2.The writ petitioner was working as Executive Officer in Arulmigu Chokkanatha Swami Vagaiyara Thirukkoil, Mela Veera Ragavapuram, Tirunelveli Junction. The petitioner filed another writ petition in W.P(MD).No.14359 of 2010 challenging the charge memo and the learned Government Advocate made a submission before this Court that the writ petitioner was already dismissed from service in the year 2014 itself. Thereafter, an appeal filed by the petitioner was also rejected by the appellate authority.

3.As far as the present writ petition is concerned, the expenditure made by the writ petitioner was questioned by the authorities on the ground that such expenditure was made without getting prior approval of the competent authority. A perusal of the order reveals that an opportunity was given to the writ petitioner to defend his case. The order of recovery is a summary proceedings,



which was passed in order to make good the financial loss caused to the Temple, due to the irregularities committed by the writ petitioner in his capacity, as the Executive Officer. The petitioner could not able to establish that the prior approval had been obtained from the competent authority, before making such expenditure.

4.This being the factum, this Court is of the considered opinion that no further consideration is required, as the procedures to be followed for recovery of financial loss to the Temple had been followed and therefore, the decision taken by the authorities is in accordance with law. Thus, the writ petition is devoid of merits and the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Joint Commissioner of Hindu Religious
and Charitable Endowments Department,
Tirunelveli-627 002.

2.The Assistant Commissioner of Hindu Religious,
and Charitable Endowments Department,
Tirunelveli-627 002.

+1 CC to M/s.M. SARAVANAKUMAR, Advocate (SR-19982[F] dated
14/10/2020)

+1 CC to SGP (SR-20212[F] dated 15/10/2020)

W.P. (MD)No.9906 of 2010

14.10.2020

SSS (CO)

NR (29/10/2020) 2P : 5C