



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)NO.6660 OF 2020

L.Sivanandam

:Petitioner

.vs.

- 1.The Commissioner,
The Hindu Religious and Charitable Endowment
Department, Nungambakkam,
Chennai - 600 034.
- 2.The Joint Commissioner(General),
The Hindu Religious and Charitable Endowment
Department, Nungambakkam,
Chennai - 600 034.
- 3.The Joint Commissioner,
The Hindu Religious and Charitable Endowment
Department, Ellis Nagar,
Madurai - 615 016.
- 4.The Deputy Commissioner-cum-Executive Officer,
Arulmighu Subramaniya Swamy Thirukkoil,
Thirupparankundram,
Madurai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the fourth respondent herein, their subordinates, officials and men from in any manner engaging the Petitioner for doing the works unrelated to his post of Gardner and consequently to direct the respondents to consider the representation of the Petitioner dated 16.3.2020, for promotion for petitioner.

For Petitioner	: Mr.V.Janakiramulu
For Respondents	: Mr.VR.Shanmuganathan Special Govt.Pleader.

O R D E R

This Writ Petition is filed seeking issuance of a Writ of Mandamus forbearing the fourth respondent herein, their

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subordinates, officials and men from in any manner engaging the Petitioner for doing the works unrelated to his post of Gardner and consequently to direct the respondents to consider the representation of the Petitioner dated 16.3.2020, for promotion.

2.Mr.VR.Shanmuganathan, learned Special Government Pleader takes notice on behalf of the respondents.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

4.The Petitioner/L.Sivanandam has been working as Gardner in A/m.Subramaniya Swamy Thirukkoil, Thirupparankundram, Madurai District from 11.01.2013. According to the Petitioner, he has put in continuous service for the past eight years. He had sent a representation, dated 16.03.2020 seeking promotion and the next promotional post is as Office Assistant. Seeking mandamus to examine his representation, the present Writ Petition has been filed.

5.Mr.VR.Shanmuganathan, learned Special Government Pleader, who takes notice on behalf of the respondents, on instructions, submitted that the fourth respondent had forwarded the representation of the Petitioner to the first respondent/The Commissioner, Hindu Religious and Charitable Endowment Department, Nungambakkam, Chennai - 600 034 and the first respondent had negatived the request of the Petitioner seeking promotion. A copy of the said order may be furnished to the Petitioner. The Petitioner can very well challenge the same in appropriate proceedings.

6.Therefore, the present Writ Petition is not sustainable and accordingly the same stands dismissed. Liberty is given to the Petitioner to file a separate Writ Petition questioning the order rejecting his representation requesting for promotion. There is no order as to costs.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocates/litigants concerned.

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To

1. The Commissioner,
The Hindu Religious and Charitable Endowment
Department,
Nungambakkam,
Chennai - 600 034.
2. The Joint Commissioner (General),
The Hindu Religious and Charitable Endowment
Department,
Nungambakkam,
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3. The Joint Commissioner,
The Hindu Religious and Charitable Endowment
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Madurai - 615 016.
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Madurai District.

ORDER MADE IN
W.P (MD) NO. 6660 OF 2020
11.06.2020

SDS (18.06.2020) 3P-5C