



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 30.09.2020**

**CORAM:**

**THE HON'BLE MR.JUSTICE R.SURESH KUMAR**

**W.P. (MD)No.13079 of 2020**

M.Rathi

...Petitioner

-Vs-

1. The Commissioner,  
Hindu Religious & Charitable Endowments  
Department,  
No.119, Uthamar Gandhi Road,  
Nungambakkam, Chennai 600 034

2. The Joint Commissioner,  
Hindu Religious & Charitable Endowments  
Department,  
Madurai 600 016

3. The Executive Officer,  
Arulmigu Mathanagopalasamy Thirukoil,  
Madurai.

4. The Thakkar/ Executive Officer,  
Arulmigu Thandayuthapani Swamy Thirukoil,  
Dindigul Road, Madurai.

...Respondents

**PRAYER:** Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the 1<sup>st</sup> respondents to number the Revision Petition dated 18.12.2019 filed by the petitioner and to complete the enquiry within the stipulated period as fixed by this Court.

For Petitioner : Mr.P.Balamurugan

For RR 1 & 2 : Mr.K.P.Narayanakumar

Additional Government Advocate

For RR 3 & 4 : Mr.S.Manohar

**O R D E R**

The prayer sought for in this writ petition is for a writ of Mandamus, to direct the 1<sup>st</sup> respondent to number the Revision Petition, dated 18.12.2019 filed by the petitioner and to complete the enquiry.

2. The petitioner was an employe of the respondent Department. After disciplinary proceedings, he was dismissed from service by the orders of the third respondent, dated 09.05.2017. Aggrieved over the



same, he preferred an appeal before the second respondent, who is the Appellate Authority, who also on consideration of the Appeal filed by the petitioner, rejected the same by order, dated 07.06.2019 confirming the order of punishment inflicted against the petitioner.

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3. As against the said Appellate Authority's order i.e. the second respondent herein, the petitioner preferred a revision before the first respondent, who is the Revisional Authority on 18.12.2019. However, so far, the said revision has not been numbered and has been proceeded for. Therefore, in order to number the said revision and proceed further in accordance with law, seeking a direction to the first respondent with the aforesaid prayer, the present writ petition has been filed.

4. The learned counsel appearing for the petitioner reiterates the said facts and would submit that, if a direction is given to the first respondent to number the revision pending before the said Authority and proceed in accordance with law, the petitioner would be satisfied.

5. Heard Mr.K.P.Narayanakumar, learned Additional Government Pleader appearing for the first and second respondents and Mr.S.Manohar, learned counsel appearing for the respondent 3 & 4. The learned Additional Government Pleader appearing for the first respondent would submit that, the revision petition, dated 18.12.2019 filed and claimed to be pending before the first respondent would be taken up and accordingly, it will be decided in accordance with law by giving a number to the said revision, as expeditiously as possible.

6. In view of the said submission made by the learned counsel for the first respondent and in view of the factual matrix of the case, this Court is inclined to dispose of this writ petition with the following orders:-

"that the first respondent is hereby directed to take up the revision petition filed by the petitioner on 18.12.2019 against the order of the Appellate Authority i.e. the second respondent, dated 07.06.2019, which confirmed the order of punishment of dismissal of service inflicted against the petitioner by order of the third respondent, dated 09.05.2017 and accordingly, decide the appeal on merits and in accordance with law within a period of three months from the date receipt of a copy of this order, of course, after giving reasonable opportunity to the petitioner as available to him."



7. With these directions, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar ()

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Sub Assistant Registrar(CS)

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To:

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2. The Joint Commissioner,  
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3. The Executive Officer,  
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Madurai.
4. The Thakkar/ Executive Officer,  
Arulmigu Thandayuthapani Swamy Thirukoil,  
Dindigul Road, Madurai.

+1 CC to M/s.S. MANOHAR, Advocate ( SR-18797[F] dated 01/10/2020 )

+1 CC to M/s.P. BALAMURUGAN, Advocate ( SR-18909[F] dated 05/10/2020 )

+1 CC to M/s.SPL GP ( SR-19039[F] dated 05/10/2020 )

W.P. (MD) No.13079 of 2020  
30.09.2020

SS (CO)

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