



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2020

CORAM

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 6853 of 2017

Retired Temple Employees Welfare Association,
(Reg. No.120 of 2013),
Rep. By its Secretary,
S.B.Paneerselvam,
No.40, A-1, Sri Vadapathirasayanar Sannathi Street,
Srivilliputhur - 626 125. ... Petitioner

Vs.

1. The Secretary to the Government,
Hindu Religious and Charitable Endowments Department,
Fort St. George,
Chennai - 600 009.
2. The Commissioner,
Hindu Religious and Charitable Endowments,
No.119, Uthamar Gandhi Road,
Chennai - 600 034.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowments,
Sivagangai.
4. The Executive Officer,
Arulmigu Sri Andal Nachiyar Thirukovil,
Srivilliputhur,
Virudhunagar District. ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to pass an appropriate order upgrading Sri Andal Nachiyar Temple at Srivilliputhur from the administration of the Executive Officer to the administration of the Assistant Commissioner based on the proposal made by the second respondent in Na.Ka.No.37614/05/B1 dated 26.12.2006 within a stipulated period as fixed by this Court.

For Petitioner	: Mr.S.Manickam
For R-1 to R-3	: Mr.V.R.Shanmuganathan, Special Government Pleader.
For R-4	: Mr.P.Mahendran

**ORDER**

Heard the learned counsel on either side.

2. The prayer made in the writ petition is for upgrading Sri Andal Nachiyar temple at Srivilliputhur Town. It is presently being administered by the Grade-I executive officer.

3. It is seen from the materials on record that the Government had issued G.O.Ms.No.465 dated 21.11.2007 to the effect that the temples having an income of more than Rs.1 Crores of Rupees will be managed by the executive officer in the rank of Joint Commissioner and the temples having an income of more than Rs.40,00,000/- p.a. will be managed by the executive officer in the rank of Deputy Commissioner and the temples having an income from Rs.10,00,000/- to Rs.40,00,000/- p.a. will be managed by the executive officer in the rank of Assistant Commissioner.

4. In the case on hand, the income of the subject temple is in the range that appears to be quite substantial. I wondered if the Government can be directed to appoint an executive officer in the rank of Joint Commissioner considering the current income level, I posed a specific question to the learned Standing counsel as to how the salary of the executive officer will be paid. He frankly stated that the salary of the executive officer will be paid from the temple funds. If that be so, I think the rank of the executive officer is not going to serve the interests of the temple. The temple only will be put unnecessary loss of funds by appointing an officer of the higher rank. But at the same time, it is seen that if the status of the temple is upgraded, the employees will be benefited. Therefore, applying G.O.Ms.No.465 dated 21.11.2007 and also taking note of the stand of the employees, the first respondent is directed to upgrade the status of the temple and ensure that the executive officer of the temple will be in the rank of Assistant Commissioner. Such an order will be issued by the first respondent at the earliest and without any delay.

5. This writ petition stands allowed. No costs.

Sd/-

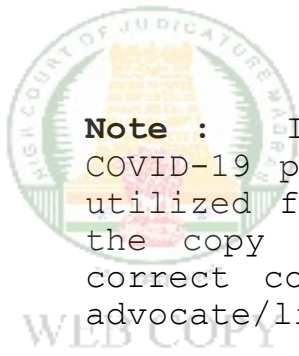
Assistant Registrar (CSII)

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/ /2020

Sub Assistant Registrar(CS)

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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 advocate/litigant concerned.

To:

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