



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.02.2021**

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND**

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

W.A(MD)NOS.759 to 764 OF 2012

WA(MD) . No. 759/ 2012

1. N. Selvaraj
2. A. Rathinavel
3. P. Gunalan
4. P. Ganesan
5. G. Kalaiselvan
6. R. Rasukannu
7. S. Ashokumar
8. V. Veeramani
9. S. Prakash
10. M. Kumar
11. B. Prabakaran
12. P. Ananthakumar
13. J. Kaliamurthy
14. B. Ganesan
15. R. Jeyaraman
16. S.Periyannan
17. A. Muthumalai
18. M. Karthikeyan
19. P. Ravichandran
20. K. Natarajan

... Appellants 1 to 20/
Petitioners 1, 2 & 4, 5 and 7 to 22

vs

1. The Commissioner
Hindu Religious and Charitable Endowment Department,
Chennai - 600 034.

2. The Joint Commissioner
Arulmighu Mariamman Temple, Samayapuram,
Trichy District. ... Respondents 1 & 2 /Respondents

3. M. Gopinath ... 3rd Respondent/3rd Petitioner
4. P. Sureshkumar ... 4th Respondents /6th Petitioner



Prayer in WA(MD) . No. 759/ 2012 :

Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P.(MD) No.7744 of 2011, dated 27.06.2012.

Common Prayer in WP(MD) Nos.7744 to 7748 & 9490 of 2011:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other Writ of order or Direction in the nature of Writ directing the 2nd Respondent to permit the petitioners to sign the attendance Register.

WA(MD) . No. 760/ 2012

1. V. Baskar
2. N. Vasantha Raj
3. A. Sumathi
4. A. Devi ... Appellants 1 to 4/Petitioners 1 to 4

vs

1. The Commissioner
Hindu Religious and Charitable Endowment Department,
Chennai - 600 034.

2. The Joint Commissioner
Arulmighu Mariamman Temple, Samayapuram,
Trichy District. ... Respondents /Respondents

Prayer in WA(MD) . No. 760/ 2012 :

Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P.(MD) No.7745 of 2011, dated 27.06.2012.

Common Prayer in WP(MD) Nos.7744 to 7748 & 9490 of 2011:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other Writ of order or Direction in the nature of Writ directing the 2nd Respondent to permit the petitioners to sign the attendance Register.

WA(MD) . No. 761/ 2012

M. Udhaya Kumar ... Appellant / 1st Petitioner

vs



1. The Commissioner
Hindu Religious and Charitable Endowment Department,
Chennai - 600 034.
2. The Joint Commissioner
Arulmighu Mariamman Temple, Samayapuram,
Trichy District. ... 1st & 2nd Respondents/Respondents
3. M. Gopinath ... 3rd Respondent/2nd Petitioner

Prayer in WA(MD) . No. 761/ 2012

Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P.(MD) No.7746 of 2011, dated 27.06.2012.

Common Prayer in WP(MD) Nos.7744 to 7748 & 9490 of 2011:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other Writ of order or Direction in the nature of Writ directing the 2nd Respondent to permit the petitioners to sign the attendance Register.

WA(MD) . No. 762/ 2012

1. V.Subramanian
2. B.Muthukumar
3. K.Sudarsanan ... Appellants 1 to 3
Petitioners 1, 2 & 4
vs
1. The Commissioner
Hindu Religious and Charitable Endowment Department,
Chennai - 600 034.
2. The Joint Commissioner
Arulmighu Mariamman Temple, Samayapuram,
Trichy District. ... 1st & 2nd Respondents/Respondents
- 3.Veldurai ... 3rd Respondent/3rd Petitioner

Prayer in WA(MD) . No. 762/ 2012 :

Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P.(MD) No.7747 of 2011, dated 27.06.2012.



Common Prayer in WP(MD) Nos.7744 to 7748 & 9490 of 2011:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other Writ of order or Direction in the nature of Writ directing the 2nd Respondent to permit the petitioners to sign the attendance Register. the petitioners to sign the attendace Register.

WA(MD) . No. 763/ 2012

1. J.Aravind
2. K.Ramachandran
3. M.Manikandan ... Appellants 1 to 3 / Petitioners 1, 3 & 4

vs

1. The Commissioner
Hindu Religious and Charitable Endowment Department,
Chennai - 600 034.

2. The Joint Commissioner
Arulmighu Mariamman Temple, Samayapuram,
Trichy District. ... 1st & 2nd Respondents/Respondents

3.P.Babu ... 3rd Respondent/ 2nd Petitioner

Prayer in WA(MD) . No. 763/ 2012 :

Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P.(MD) No.7748 of 2011, dated 27.06.2012.

Common Prayer in WP(MD) Nos.7744 to 7748 & 9490 of 2011:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other Writ of order or Direction in the nature of Writ directing the 2nd Respondent to permit the petitioners to sign the attendance Register.

WA(MD) . No. 764/ 2012

M.Renganathan ... Appellant / 2nd Petitioner

vs

1. The Commissioner
Hindu Religious and Charitable Endowment Department,
Chennai - 600 034.



2. The Joint Commissioner
Arulmighu Mariamman Temple, Samayapuram,
Trichy District. ... 1st & 2nd Respondents/Respondents
3.Sivasubramanian ... 3rd Respondent/1st Petitioner

Prayer in WA(MD). No. 764/ 2012 :

Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P. (MD) No.9490 of 2011, dated 27.06.2012

Common Prayer in WP(MD) Nos.7744 to 7748 & 9490 of 2011:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus or any other Writ of order or Direction in the nature of Writ directing the 2nd Respondent to permit the petitioners to sign the attendance Register.

For Appellant : Mrs.AL.Gandhimathi
in all W.As'

For Respondent-1 : Mr.K.P.Narayanakumar
in all W.As' Special Govt.Pleader

For Respondent-2 : Mr.R.Govindarajan
in all W.As'

COMMON JUDGMENT

[Judgment of the Court was made by **PUSHPA SATHYANARAYANA, J.**]

These Writ Appeals are directed against the order passed by this Court in W.P(MD)Nos.7744 to 7748 and 9490 of 2011, dated dated 27.6.2012.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.Already this Court, in similar matters, in W.A(MD)Nos.94 and 95 of 2014, passed orders on 26.04.2017, dismissing the Writ Appeals, in which, the operative portion reads as under:

'4.The above said Writ Petitions were dismissed on the ground that unless the termination is declared as illegal, a direction cannot be given for restoration of the appellants in service. Furthermore, the respondents



1 and 2 took a specific stand that without calling for applications from the Employment Exchange and without any advertisement and without conducting interview, the appellants claimed to have been appointed and such appointment is wholly illegal. Thus, we are in entire agreement with the view expressed by the learned Single Judge, in W.P(MD)Nos.7744 to 7748 and 9490 of 2011. Accordingly, the impugned order does not call for any interference by us. Hence these Writ Appeals are dismissed. No costs.''

4. In view of the above order, as the prayer in all the above Writ Petitions are one and the same, following the same, these Writ Appeals are dismissed. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

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

1. The Commissioner,
Hindu Religious and Charitable Endowment Department,
Chennai - 600 034.

2. The Joint Commissioner,
Arulmighu Mariamman Temple,
Samayapuram, Trichy District.

+1 CC to M/s.K.GOVINDARAJAN, Advocate (SR-4323[F] dated 10/02/2021)

COMMON JUDGMENT MADE IN
W.A(MD)NOs.759 to 764 OF 2012
10.02.2021

SRK(CO)
TR(23.02.2021) 6P 4C