



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.9286 of 2021

W.M.P. (MD) .No.6991 of 2021

WEB COPY

Tamil Nadu Thirukovil Thozhil Nutpa
Paniyalarkal Sangam
rep.by its General Secretary,
No.133/B 18, Subramaniapuram,
Tiruchendur,
Thoothukudi District-628 215.

... Petitioner

versus

1.The Additional Chief Secretary to Government,
Tourism, Culture and Religious Endowments Department,
Secretariat, Chennai-600 009.

2.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai-600 034.

... Respondents

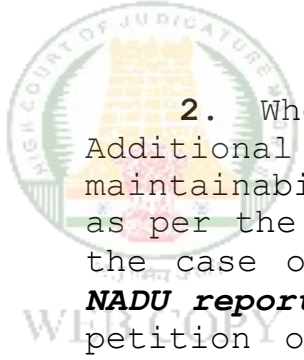
Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents to absorb the Members of the Petitioner Association, according to their eligibility as Engineers and Technical Staff in the posts sanctioned in G.O.(Ms).No.108, Tourism, Culture and Religious Endowments Department dated 09.08.2019 and in the posts sanctioned in G.O.(Ms).No.154, Tourism Culture and Religious Endowments Department dated 20.11.2020.

For Petitioner :Mr.G.Kannan
for M/s.Veera Associates

For Respondents :Mr.J.Ashok
Additional Government Pleader

O R D E R

The writ petitioner has filed this Writ Petition seeking a direction to the respondents to absorb the Members of their association in the posts sanctioned in G.O.(Ms).No.108, Tourism, Culture and Religious Endowments Department dated 09.08.2019 and G.O.(Ms).No.154, Tourism, Culture and Religious Endowments Department dated 20.11.2020.



2. When the matter is taken up for hearing, the learned Additional Government Pleader raised preliminary objection on the maintainability of this writ petition filed by an association that as per the dictum laid down by the Principal seat of this Court in the case of **TAMILAGA ASIRIYAR KOTTANI vs. THE GOVERNMENT OF TAMIL NADU reported in 2005 3 MLJ 252**, an Association cannot file a writ petition or writ appeal for their members and if any person is aggrieved over the Government order, it is for such person to file a writ petition or writ appeal.

3. This writ petition is filed by the association for absorption of its members in certain posts. The Association cannot take up this cause and as per the settled position of law, this Court is not inclined to entertain this writ petition. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb

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 Additional Chief Secretary to Government,
Tourism, Culture and Religious Endowments Department,
Secretariat, Chennai-600 009.

2.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Nungambakkam, Chennai-600 034.

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-35918[F] dated 25/11/2021)

+1 CC to M/s.SPL GP (SR-35893[F] dated 25/11/2021)

W.P(MD)No.9286 of 2021

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MGJ(03.02.2022) 2P 5C

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