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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.3698 of 2022

B.Ravi

...Petitioner

vs.

1.The Secretary to Government,
Hindu Religious and Endowment Department,
Secretariat, Chennai - 9.

2.The Commissioner,
Hindu Religious and Endowment Department,
Chennai - 34.

3.The Deputy Commissioner/ Executive Officer,
Arulmigu Parthasarathy Swamy Temple,
Triplicane, Chennai - 5.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent herein to dispose of the petitioner's representation dated 27.09.2021, within a time frame as may be stipulated by this Court.

For Petitioner : Mr.M.Kempraj

For Respondents : Mr.S.Yashwanth for R1 and R2
Additional Government Pleader

O R D E R

This writ petition has been filed for issuance of a Writ of Mandamus directing the second respondent to dispose the petitioner's representation dated 27.09.2021, within a time frame as fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

3. The petitioner was appointed in the Arulmigu Partha Sarathy Swamigal Temple, Triplicane, Chennai-5 as a "Tharai" (DHOL) player on 14.07.1998. The third respondent had issued a proceedings in Na.K.No.337/2010 dated 25.10.2019, revising the



pay scale, based on the 6th Pay Commission from 01.07.2006. But the same was not implemented. After lapse of 10 years, the petitioner's pay was fixed at Rs.6060/- without any true and proper calculation. By virtue of G.O.(D) No.35, Tourism, Culture and Hindu Religious Department dated 03.02.2020, the festival musicians with respect to " Dhavil, Suruthi, Thalam" etc. has been regularized with effect from 01.07.1997, with the time scale of pay as 3200-85-4900, which was in pursuance of W.P.No.13137 of 2013 dated 03.06.2013. Though the petitioner is entitled for revised pay scale, on par with the similarly placed other musicians, it was not paid to him. Hence, the petitioner made representation on 27.09.2021 to the third respondent, however, there is no response. Hence this writ petition.

4. The learned Additional Government Pleader appearing for respondents submitted that, the third respondent is a competent authority to pass orders and hence, suitable direction will be issued to the third respondent to consider the representation of the petitioner and to pass appropriate orders, in accordance with law, if otherwise he is eligible.

5. In view of the above submissions and considering the limited scope of prayer, without expressing any opinion on merits, this court is inclined to pass orders.

6. Accordingly, it is ordered as follows:

i) The third respondent is directed to consider the representation of the petitioner dated 27.09.2021 and pass appropriate orders, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

mst

To

1.The Secretary,
Hindu Religious and Endowment Department,
Secretariat, Chennai - 9.

2.The Commissioner,
Hindu Religious and Endowment Department,
Chennai - 34.



3.The Deputy Commissioner/ Executive Officer,
Arulmigu Parthasarathy Swamy Temple,
Triplicane, Chennai - 5.

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+1cc to Mr.M.Kempuraj, Advocate SR. No.12164
+1cc to Government Pleader SR. No.12829

W.P.No.3698 of 2022

GPL (CO)
PR (15/03/2022)