

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.03.2022

Coram

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.16195 of 2020

D.Sekar

...Petitioner

Vs.

1. The Joint Commissioner,
The Hindu Religious & Charitable
Endowment Department,
Nungambakkam High Road, Chennai-34.

2. The Trustee, Arulmigu Kabaleeswarar Thirukovil,
Mylapore, Chennai 600 004. ...Respondents

PRAYER: Writ petition filed under Section 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to expeditiously adjudicate the statutory appeal preferred by the petitioner in Appeal No.1 against Se.Mu.Na.Ka.No.159/2004 B1 dated 16.02.2019 pending on the file of the first respondent, preferably within a time frame fixed by this court.

For Petitioner : Mr.Swarnam Rajagopalan
For respondents : Mr.K.Karthikeyan, Govt.Advocate,
HR & CE

ORDER

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the first respondent to conclude the statutory Appeal preferred by the petitioner, within a time frame as fixed by this court.

2. The case of the petitioner in brief:

The petitioner worked under the respondent temple and he was served charge memo and was suspended during the year 2004. Subsequently, after completion of enquiry proceedings, the second respondent dismissed the petitioner from service vide order dated 16.02.2019. Hence, the petitioner filed an Appeal

before the first respondent on 15.03.2019. The petitioner is having fair chances to succeed the appeal and he can get retirement benefits from the temple. But the appeal is pending without any progress. Hence this writ petition.

3. The learned Government Advocate appearing for the respondents submitted that the Statutory appeal would be disposed in accordance with law by the authorities concerned.

4. In view of the above submission and also considering the limited scope of prayer and without expressing any opinion on merits, this court is inclined to pass the following order.

i) The first respondent is directed to dispose the Statutory Appeal filed by the petitioner on its own merits, in accordance with law, within a period of twelve weeks from the date of receipt of the copy of this order.

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

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mst

To

1. The Joint Commissioner,
The Hindu Religious & Charitable
Endowment Department,
Nungambakkam High Road, Chennai-34.

+1 CC to The Special Government Pleader (HR & CE) sr 17528.

W.P.No.16195 of 2020

AJS(CO)
SP(04/04/2022)