



WEB COPY



W.P. No. 31689 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 31689 of 2022

N.Ashok Bharathi

... Petitioner

-VS-

1. The Commissioner
Hindu Religious and Charitable
Endowment Department
No.119, Uthammar Gandhi Salai
Nungambakkam, Chennai – 600 034.
2. The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
Mylapore, Chennai District.
3. The Executive Officer /Thakkar
Arulmigu Thandshwar Temple
Arulmigu Athipurishwar Temple
Pallikaranai-Velachery
Chennai - 600 042.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Third Respondent to reinstate the Petitioner to appoint as Archakkar in Arulmigu Thandashwar Temple and Arulmigu Athipurishwar Temple, Pallikaranai-Velachery, Chennai – 600 042 by considering Petitioner representation dated 20.10.2022 within a time frame fixed by this Court.



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For Petitioner : Mr. A.Saravanan
For Respondents : Mr. K.Karthikeyan
Government Advocate

ORDER

Heard Mr. A.Saravanan, Learned Counsel for the Petitioner and Mr. K.Karthikeyan, Learned Government Advocate appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, who was working as Archakkar in Arulmigu Thandashwar Temple and Arulmigu Athipurishwar Temple, (hereinafter referred to as 'the Temple' for short) Pallikaranai, Velachery, Chennai – 600042, has filed this Writ Petition for directing the Third Respondent to consider his representation to reinstate him in service.

3. Learned Government Advocate appearing for the Respondents has filed a memo dated 30.11.2022 stating that the Petitioner was appointed as an Archakar on temporary basis in the said Temple and there were serious complaints against the Petitioner received from the Third Respondent and a



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resolution was passed to suspend him from service and one Mr. Vasudevan was appointed as temporary Archakar in the Temple in furtherance to the order passed on 14.09.2022 by this Court in the Writ Petition in W.P. No. 24789 of 2022 filed by one Mr. G.T.Murugesan seeking direction to the First and Second Respondents and in view of the disciplinary action proposed to be initiated against the Petitioner, the question of directing the Third Respondent to reinstate him in service does not arise for consideration at this stage.

4. As such, there is nothing which remains for consideration in the Writ Petition, but it would not preclude the Petitioner to work out his remedies before the proper forum in the manner recognized by law depending upon the outcome of the said disciplinary action proposed to be initiated against him.

5. In fine, the Writ Petition is disposed with the aforesaid observations.
No costs.

01.12.2022

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Index: Yes/No

Note: Issue order copy by 05.01.2023.



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P.D. AUDIKESAVALU, J.

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