



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.03.2022
CORAM

THE HONOURABLE MR. JUSTICE C.SARAVANAN

WEB COPY

Writ Petition (MD)No.12227 of 2016
and
W.M.P. (MD)Nos.9320 & 9321 of 2016

S.Alagu

.. Petitioner

Versus

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Road,
Nungambakkam,
Chennai.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
40, Muthusamy Nagar,
Sivagangai Town,
Sivagangai District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Junction Road,
Paramakudi,
Ramanathapuram District.

4.The Fit Person/Executive Officer,
Arulmighu Maruthudaiya Ayyanar Thirukovil,
Nagarampatti,
Sivagangai Taluk,
Sivagangai District.

5.The Superintendent of Police,
Sivagangai District, Sivagangai.

6.The Inspector of Police,
Madagupatti Police Station,
Sivagangai District.

7.Rajendran, S/o.Kuppuvelar

8.Pillappan, S/o.Chidambaram . Respondents

Petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Certiorari, to call for the
records of the impugned order of the fourth respondent, dated
17.03.2016 and quash the same as illegal.



For Petitioner : No Appearance
For R1 to R3, R5 & R6 : Mr.P.Subbaraj
Special Government Pleader
For R4 : Mr.P.Mahendran
For R7 & R8 : Mr.K.Hemakarthikeyan

ORDER

It appears that the counsel on record is no more and the other counsel is not appearing before this Court.

2.The petitioner has challenged the impugned order of the fourth respondent, dated 17.05.2016. The petitioner claims that the petitioner's family has a right to perform functions/rituals as Hereditary Trustee. The complaint against the petitioner was that he was resorting to casteism in the precincts of the Temple and therefore, the Villagers had petitioned before the fourth respondent and the fourth respondent decided to suspend the petitioner.

3.In the impugned order dated 17.05.2016, it is stated that the suspension has to follow with the dismissal. A person suspended cannot remain under suspension mechanically. There has to be a closure of the file. Under these circumstances, I am inclined to dispose this Writ Petition, by directing the fourth respondent and the official respondents to bring a closure to the order suspending the petitioner from acting as a Hereditary Poosari of the subject Temple. Appropriate orders may be passed in accordance with law within a period of three months from the date of receipt of a copy of this order. The rights of the petitioner will be subject to the outcome of the above said proceedings. Needless to state that before passing such orders, all the persons, who are respondents in this writ petition apart from the official respondents, shall also be heard.

4.This Writ Petition stands disposed with the above direction. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS I)

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/ /2022

Sub Assistant Registrar(CS)

smn



To

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Uthamar Gandhi Road,
Nungambakkam,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
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- 3.The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Junction Road,
Paramakudi,
Ramanathapuram District.
- 4.The Superintendent of Police,
Sivagangai District, Sivagangai.
- 5.The Inspector of Police,
Madagupatti Police Station,
Sivagangai District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

WP (MD) No.12227 of 2016
29.03.2022

MGJ(06.04.2022) 3P 7C