



W.P.(MD)No.13794 of 2020

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 23.01.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**W.P.(MD)No.13794 of 2020**

**and**

**W.M.P(MD) No.11445 of 2020**

K.Muthukumar

: Petitioner

**Vs.**

1.The Joint Commissioner

Hindu Religious and Charitable Endowments Department,  
Sivagangai.

2.The Fit Persons

Arulmighu Unthipootha Perumal Kovil,  
Thondi-Thiruvadanai Taluk,  
Ramanathapuram District.

3.The Executive Officer

Arulmighu Unthipootha Perumal Kovil,  
Thondi-Thiruvadanai Taluk,  
Ramanathapuram District.

: Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the entire records relating to the impugned proceedings dated 20.08.2019 in Na.Ka.No.1/2019 issued by the 2nd respondent suspending the petitioner and the impugned letter dated 11.09.2020 issued by the 3rd respondent refusing to revoke the suspension of the petitioner and quash the same as illegal and consequently to direct the respondents to reinstate the petitioner in service forthwith.

For Petitioner : Mr.R.Udhayakumar

For Respondents : Mr.R.Ragavendran, - for R1  
Government Advocate

No Appearance - for R2

Mr.C.Gunaseelarupan - for R3

### **ORDER**

This writ petition has been filed to quash the impugned proceedings dated 20.08.2019 in Na.Ka.No.1/2019 issued by the 2nd



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respondent suspending the petitioner and the impugned letter dated 11.09.2020 issued by the 3rd respondent refusing to revoke the suspension of the petitioner and consequently to direct the respondents to reinstate the petitioner in service forthwith.

2. The learned counsel appearing for the petitioner submitted that the petitioner had involved in a criminal case and hence, a case was registered in Crime No.160 of 2019 on the file of Thondi Police Station and based on which, he was placed under suspension right from the year 2018 and till date the petitioner was not reinstated. Hence, the petitioner made a representation on 22.09.2020 for reconsideration and the same was not considered till date. Hence, the present writ petition is filed with the aforesaid prayer.

3. The learned counsel for the petitioner further submitted that without interfering the order impugned in the writ petition, this Court may issue a direction to the third respondent to consider the petitioner's representation, dated 22.09.2020, within the time limit stipulated by this



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Court. The allegation as against petitioner is that the petitioner had misappropriated the temple amount and immediately, the entire amount is deposited and the petitioner is ready to co-operate with the enquiry proceedings.

4. Considering the limited request made by the learned counsel for the petitioner and that the petitioner was placed under suspension on 20.08.2019 however, and till date either disciplinary proceedings were initiated or the suspension order was revoked. Hence, the petitioner made a representation, dated 22.09.2020.

5. Considering the limited request made by the learned counsel for the petitioner, without interfering with the order impugned in this writ petition, the respondents are directed to consider the petitioner's representation, dated 22.09.2020 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.



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6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**23.01.2023**

Index : Yes / No  
Internet : Yes / No  
NCC : Yes / No  
RM

To

- 1.The Joint Commissioner  
Hindu Religious and Charitable Endowments Department,  
Sivagangai.
- 2.The Fit Persons  
Arulmighu Unthipootha Perumal Kovil,  
Thondi-Thiruvadanai Taluk,  
Ramanathapuram District.
- 3.The Executive Officer  
Arulmighu Unthipootha Perumal Kovil,  
Thondi-Thiruvadanai Taluk,  
Ramanathapuram District.



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**M.DHANDAPANI, J.**

RM

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**23.01.2023**