



WP(MD) No.9551 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.04.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.9551 of 2024

Nagendran

... Petitioner

Vs.

1.The Commissioner

Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai.

2.The Deputy Commissioner / Executive Officer,

Arulmighu Ramanathasamy Thirukoil,
Rameswaram.

3.The Deputy Commissioner / Executive Officer,

Arulmighu Subramaniaswamy Thirukoil,
Tiruttani,
Thiruvallur District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 1st respondent to transfer the petitioner from 3rd respondent temple to 2nd respondent temple by considering the petitioner's representation dated 05.01.2024.

For Petitioner : Mr. V.R.Shanmuganathan

For Respondents : Mr.P.T.Thiraviyam – for R1

Government Advocate

Mr.S.Ramesh – for R2 & R3

ORDER

The petitioner has filed this Writ Petition seeking a Writ of Mandamus, directing the 1st respondent to transfer the petitioner from 3rd respondent temple to 2nd respondent temple by considering the petitioner's representation dated 05.01.2024.



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2. Heard Mr.V.R.Shanmuganathan, learned counsel for the petitioner, Mr.P.T.Thiraviyam, learned Government Advocate for the first respondent and Mr.S.Ramesh, learned counsel for the respondents 2 and 3.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that he was appointed as Driver in the second respondent-Temple on 09.09.1987 and was regularized on 08.12.1989. Thereafter, the petitioner was asked to operate Battery Car in the second respondent Temple and he also accepted the same. There he was directed to serve as a Night Watchman by order dated 07.05.2023, which was reduction of rank by two levels as a punishment. Hence, the petitioner preferred a Writ Petition in W.P.(MD)No.11679 of 2023 and the same was pending, however with an order of interim stay. Thereafter, he was transferred to third respondent – Temple by order dated 14.09.2022



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as a Driver. The petitioner is about to retire on 01.05.2025 and hence, he submitted a representation dated 05.01.2024 narrating his health condition and family difficulties. Since no steps have been taken so far, the petitioner has come forward with the present Writ Petition.

4. Mr.P.T.Thiraviyam, learned Government Advocate for the first respondent submitted that the petitioner's representation dated 05.01.2024 would be considered by the first respondent on merits, within the time stipulated by this Court.

5. Under such circumstances, this Court, without going into the merits of the matter, directs the first respondent to consider the claim of the petitioner on the basis of his representation dated 05.01.2024 and pass appropriate orders thereon on merits, within a period of eight 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.

18.04.2024

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

RM

To

- 1.The Commissioner
Hindu Religious and Charitable Endowments Department,
Nungambakkam High Road,
Chennai.
- 2.The Deputy Commissioner / Executive Officer,
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Rameswaram.
- 3.The Deputy Commissioner / Executive Officer,
Arulmighu Subramaniaswamy Thirukoil,
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Thiruvallur District.



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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.9551 of 2024

18.04.2024