



WEB COPY



W.P.No.1112 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.1112 of 2025

G.Parthiban

...Petitioner

Vs.

1.The Commissioner
The Hindu Religious Charities Department,
No.119, Uthamar Gandhi Road,
Nugambakkam, Chennai- 34.

2.The Joint Commissioner
The Hindu Religious Charities Department,
Vellore District.

3.D. Munrathinam

4.G.Loganathan

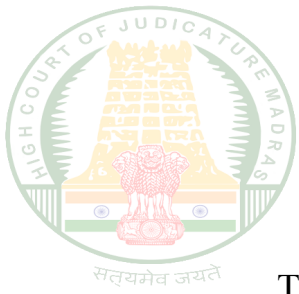
....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondent herein to take appropriate action on petitioner representation dated 18.04.2023.

For Petitioner : Mr.T.Ravi

For Respondents : Mr.S.Ravichandran for R1 & R2
Additional Government Pleader(HR & CE)

ORDER



W.P.No.1112 of 2023

WEB COPY

This writ petition is filed seeking a direction to respondents 1 and 2 to take appropriate action on the representation of the petitioner dated 18.04.2023.

2. The petitioner submitted a representation before the 1st respondent stating that respondents 3 and 4, who are employed as Accountant and Electrician in Sri Pongavanam Amman @ Angalaparameswari Temple, are not having necessary basic qualification for holding the posts. Therefore, he sought for necessary action against them. He also made certain allegations regarding the abuse of the position. The representation was forwarded by the 1st respondent to the 2nd respondent with a direction to take action in accordance with the rules. Thereafter, the 2nd respondent has not taken any action on the representation of the petitioner as directed by the 1st respondent. Therefore, the petitioner has come before this Court seeking the above said relief.

3. Mr.S.Ravichandran,the learned Additional Government Pleader(HR



W.P.No.1112 of 2024

& CE), who takes notice for the respondents 1 and 2, submitted that earlier the petitioner filed a writ petition in W.P.No.9061 of 2024 and sought for disciplinary action against the private respondents and the said writ petition was dismissed by this Court on the ground that taking disciplinary action against the employee was within the domain of the employer. Therefore, it is submitted by the learned Additional Government Pleader for the respondents 1 and 2 that the present writ petition filed by the petitioner is not maintainable.

4. In the representation submitted before the 1st respondent, the petitioner specifically disputed the qualification of the private respondents to hold the posts in the temple. It is specifically averred that 3rd respondent, who is working as an Accountant not even passed 10th standard and the 4th respondent, who is employed as an Electrician, also not having necessary technical qualification or 'B' license certificate. Taking into consideration the seriousness of the allegation made by the petitioner, the 1st respondent thought it fit to direct the 2nd respondent to consider the representation and pass necessary orders in accordance with the rules and consequently, forwarded the representation to the 2nd respondent for necessary action. However, till date,



W.P.No.1112 of 2025

the 2nd respondent has not taken any action on the representation of the petitioner. Therefore, this Court is inclined to direct the 2nd respondent to consider the representation of the petitioner dated 18.04.2023 and pass final orders on its' own merits and in accordance with law within a period of eight weeks from the date of receipt of copy of this order after affording reasonable opportunity to the respondents 3 and 4.

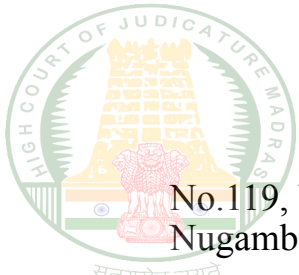
5. With the above directions, the writ petition stands disposed of. No costs.

21.01.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nr

To
1.The Commissioner
The Hindu Religious Charities Department,

4/6



W.P.No.1112 of 2023

No.119, Uthamar Gandhi Road,
Nugambakkam, Chennai- 34.

2.The Joint Commissioner
The Hindu Religious Charities Department,
Vellore District.

S.SOUNTHAR, J.

nr



WEB COPY



W.P.No.1112 of 2025

W.P No.1112 of 2025

21.01.2025