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WP.No.19244 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

WP.No.19244 of 2025

M.Iyyanar

... Petitioner

Vs.

1. The Commissioner,
Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Nungambakkam, Chennai-600 034.
2. The Joint Commissioner,
HR & CE Department,
Pudupalayam Road,
Cuddalore 607 001.
3. The Assistant Commissioner,
HR & CE Department, Cuddalore-607 001.
4. The Fit Person/Assistant Commissioner
Arulmighu Devanatha Swamy Thirukkcoil
Thiruvendhipuram, Cuddalore.
5. The Executive Officer,
Arulmighu Devanatha Swamy Thirukkcoil
Thiruvendhipuram, Cuddalore.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 27.01.2025 in accordance with law and reinstate the petitioner as office Assistant in the 5th respondent Temple with all



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monetary benefits from the date of the suspension order dated 14.05.2010 till reinstating the petitioner in service.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.K.Karthikeyan
Government Advocate (HR & CE)

ORDER

The instant writ petition has been filed seeking the relief of writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 27.01.2025 in accordance with law and reinstate the petitioner as office Assistant in the 5th respondent Temple with all monetary benefits from the date of the suspension order dated 14.05.2010 till reinstating the petitioner in service.

2. Heard Mr.D.Rajagopal, learned counsel for the petitioner and Mr.K.Karthikeyan, learned Government Advocate appearing on behalf of the respondents.

3. The learned counsel for the petitioner would submit that the petitioner has been suspended from service from 14.05.2010 and that all the

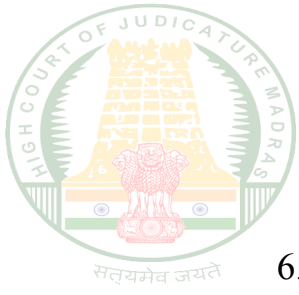


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criminal cases registered against him have now been disposed of. He would further submit that in spite of the disposal of the criminal cases, the petitioner's suspension has not been revoked.

4. At this juncture, the learned Government Advocate would invite the attention of this Court about the order passed by this Court in WP.32097 of 2012, wherein this Court has rejected the petitioner's prayer, taking into consideration of the order passed in SC.No.332 of 2004. It is the further submission of the learned Government Advocate that the subsequent disposal of the above writ petition has not been brought to the knowledge of this Court. Therefore, the present writ petition is liable to be dismissed for suppression of facts.

5. Though the submissions of the learned Government Advocate appears to be attractive, from the narration of the affidavit, now that the petitioner has approached this Court after change in circumstances. According to the petitioner, as of now, there are no pending criminal cases against him.



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6. Apart from that, it is an admitted fact that the petitioner's representation dated 27.01.2025 is yet to be considered by the respondents. In such view of the matter, without going into the merits of the matter, this Court deems it appropriate to direct the 4th respondent to consider the petitioner's representation dated 27.01.2025 and pass orders on it's own merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. In the result, this writ petition is disposed of with the above directions. There shall be no order as to costs.

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Index :Yes/No

Speaking Order

NCC: Yes/No



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C.KUMARAPPAN, J.

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