



W.P.(MD)No.372 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.06.2025

CORAM:

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

W.P.(MD)No.372 of 2021

and

W.M.P.(MD)Nos.294 and 295 of 2021

Dr.Ramesh Mahadev,
(Former Assistant Commissioner/Advocate),
S/o.MahalingaMudaliar,
3/145, K.P.P.Tower, Kotak Mahindra Bank Upstairs,
Opp.Preethi Multispeciality Hospitals,
Melur Main Road, Uthangudi,
Madurai – 625 107.Petitioner (Party-in-person)

Vs

- 1.The Chief Secretary to Government,
Government of Tamil Nadu,
Chennai – 600 009.
- 2.The Additional Chief Secretary,
Tourism, Culture and Endowments Department,
Government of Tamil Nadu,
Chennai – 600 009.
- 3.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai – 600 034.



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4. Tmt. Ramana Saraswathi, I.A.S.,

Additional Commissioner,

Hindu Religious and Charitable Endowments Department,

Chennai – 600 034.

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Quo Warranto under Article 226 of Constitution to quash/cancel illegal order vide GO Rt.No.3820 Public (Special A) Department dated 24.12.2020 of 1st respondent in respect of 4th respondent and remove person illegally appointed to the post of Additional Commissioner for HR and CE Department, because of Section 9(aa) Tamil Nadu Hindu Religious and Charitable Endowments Act 1959 clearly states that “Appointment to the Post of Additional Commissioners From Joint Commissioner” and also Service Rules (Adhoc) for the Post of Additional Commissioner, HR and CE 1997, Rule 3 also expressly mentions that Appointment of Additional Commissioner shall be made by promotion from the holders of the post of Joint Commissioner in the Hindu Religious and Charitable Endowments Administration Department and curtail the interference of Government by appointing Indian Administrative Service (IAS) Officers in H.R. & C.E. Administration and to protect its unique and autonomous feature of H.R.& C.E under the constitution of India.

For Petitioner : Mr.Ramesh Mahadev
Party-in-person

For R-1 to R-3 : Mr.K.S.Selvaganesan
Additional Government Pleader



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ORDER

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1. This Writ Petition has been filed under the Article 226 of the Constitution of India, to issue a Writ of Quo Warranto under Article 226 of Constitution to quash/cancel illegal order vide GO Rt.No.3820 Public (Special A) Department dated 24.12.2020 of 1st respondent in respect of 4th respondent and remove person illegally appointed to the post of Additional Commissioner for HR and CE Department, because of Section 9(aa) Tamil Nadu Hindu Religious and Charitable Endowments Act 1959 clearly states that “Appointment to the Post of Additional Commissioners From Joint Commissioner” and also Service Rules (Adhoc) for the Post of Additional Commissioner, HR and CE 1997, Rule 3 also expressly mentions that Appointment of Additional Commissioner shall be made by promotion from the holders of the post of Joint Commissioner in the Hindu Religious and Charitable Endowments Administration Department and curtail the interference of Government by appointing Indian Administrative Service (IAS) Officers in H.R. & C.E. Administration and to protect its unique and autonomous feature of H.R.& C.E under the constitution of India.



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2. When the matter was taken up for hearing, Mr.Ramesh Mahadev, Party-in-Person, appearing on his behalf, submitted that he does not wish to press the Writ Petition. He had also made an endorsement to that effect in the affidavit filed in support of the Writ Petition.
3. Mr.K.S.Selvaganesan, learned Additional Government Pleader for the Respondents 1 to 3, stated that he had no objection.
4. In view of the submissions and the endorsement made by the Petitioner (Party-in person), this Writ Petition is **dismissed as withdrawn**. Interim Order, if any, stands vacated and the file is consigned to record. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

24.06.2025

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Nsr



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- 4.Tmt.RamanaSaraswathi, I.A.S.,
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SHAMIM AHMED, J.

Nsr

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