



W.P.(MD) No.4393 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.4393 of 2021
and
W.M.P.(MD) No.3544 of 2021

G.Dinesh

... Petitioner

-VS-

- 1.The Commissioner
Hindu Religious & Charitable
Endowment Department
Nungambakkam
Chennai-600 034
- 2.The Joint Commissioner
Hindu Religious & Charitable
Endowment Department
Thanjavur
- 3.The Executive Officer
A/m.Mullaivananathar Temple
Thirukkarugavur
Pabanasam Taluk
Thanjavur District-614 302

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records relating to the impugned communication of 3rd respondent dated 22.09.2019 along with his resolution, informing oral termination of petitioner's service by the 2nd respondent, quash the same and consequently direct the respondents herein to permit the petitioner herein to continue his work as Technical Assistant in the 3rd respondent temple in the same consolidated pay of Rs.15,000/- pm. with arrears of pay from July 2019 without any further delay.

For Petitioner : Mr.P.Vadivel

For Respondents : Mr.P.Subbaraj
Special Government Pleader for R1 & R2
Mr.A.David Oliver
for Mr.V.Chandrasekar
Standing Counsel for 3rd Respondent

ORDER

This writ petition has been filed challenging the impugned order dated 22.09.2019, passed by the third respondent – Temple, terminating the services of the petitioner.



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2. The petitioner was appointed on consolidated pay basis by the third respondent – Temple as a Technical Assistant. Admittedly, his appointment is not a permanent appointment. The third respondent, under the impugned order dated 22.09.2019, has terminated the services of the petitioner by making allegations against him, which, according to him, are false. The petitioner has challenged the impugned order, on the ground of violation of the principles of natural justice. Since the petitioner has not been afforded any opportunity of hearing before terminating his services, he has filed this writ petition.

3. Being an employee appointed on consolidated pay basis, the petitioner does not have any vested right to claim that he has to be in continuous employment in the third respondent – Temple. Further, the impugned order passed by the third respondent is dated 22.09.2019, but the petitioner has chosen to file this writ petition only in the year 2021. Though the petitioner may claim that he has been making several representations to the respondents between 2019 and 2021, that would not suffice for condoning the delay in immediately approaching this Court, that too when he was appointed by the third respondent – Temple only on consolidated pay basis



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and was admittedly not a permanent employee. However, the allegations made against the petitioner in the impugned order cannot be made without granting any opportunity for the petitioner to explain his innocence.

4. Even though this Court is not inclined to entertain this writ petition for the aforesaid reasons, as admittedly the petitioner was appointed only on consolidated pay basis, this Court has to expunge the allegations made against the petitioner in the impugned order, as the same were made without granting any opportunity for the petitioner to submit his explanation by pleading innocence.

5. Since the petitioner was appointed only on consolidated pay basis and the impugned termination order came to be passed in the year 2019, the question of interfering with the impugned order terminating the petitioner's services in the year 2025 does not arise. However, the allegations levelled against the petitioner in the impugned termination order dated 22.09.2019, passed by the third respondent, stand expunged.



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6. In the result, there is no merit in this writ petition and the same is accordingly dismissed. No costs. Consequently, connected miscellaneous petition is dismissed.

25.09.2025

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

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To:

- 1.The Commissioner,
Hindu Religious & Charitable
Endowment Department,
Nungambakkam,
Chennai-600 034.
- 2.The Joint Commissioner,
Hindu Religious & Charitable
Endowment Department,
Thanjavur.



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ABDUL QUDDHOSE, J.

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