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W.P.(MD) No.6173 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.6173 of 2021

N.Sivabaskaran

... Petitioner

-VS-

1.The State of Tamil Nadu
rep.by the Additional Chief
Secretary to Government
Tourism, Culture and Religious
Endowments (ANi4-1) Department
Fort St.George, Chennai-9

2.The Commissioner
Hindu Religious and
Charitable Endowments
Nungambakkam, Chennai-34

3.The Joint Commissioner /
Executive Officer
Incorporated and Unincorporated,
Devasam, Suchindram Post
Kanyakumari District

... 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 pertaining to the impugned Government Order in G.O.(Ms).No.09, Tourism, Culture and Religious Endowments (ANi4-1) Department, dated 13.01.2021, on the file of the respondent No.1 and quash the same as illegal and consequently for a direction directing the respondent No.1 to re-fix the pay of the petitioner as Rs.2610-30-3750-65-3540 with effect from 10.06.1998 and provide all other consequential benefits along with arrears within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar
for M/s.Lajapathi Roy.I and Associates

For Respondents : Mr.P.Subbaraj
Special Government Pleader for R1 & R2
Mr.R.Shankar Ganesh
Standing Counsel for R3

ORDER

This writ petition has been filed challenging the impugned Government Order in G.O.(Ms).No.09, Tourism, Culture and Religious Endowments (ANi4-1) Department, dated 13.01.2021, issued by the first respondent.



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2. In the counter filed by the second respondent before this Court, it has been stated in Paragraph No.5 that during the pendency of this writ petition, a fresh Government Order in G.O.(Ms) No.29, Tourism, Culture and Religious Endowments (RE4-1) Department, dated 19.01.2023, has been issued revising the scale of pay of the Special Security Guards of the subject Temple.

3. Learned counsel for the petitioner also submits that in terms of the aforesaid Government Order, the scale of pay of the petitioner was revised. But, according to him, arrears of pay have not been paid to the petitioner. He would also submit that liberty may be granted to the petitioner to submit a representation to the respondents seeking for arrears of pay pursuant to the Government Order in G.O.(Ms) No.29, Tourism, Culture and Religious Endowments (RE4-1) Department, dated 19.01.2023, referred to supra and a direction may be issued to the respondents to consider the same on merits and in accordance with law, within a time frame to be fixed by this Court.



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4. However, learned Special Government Pleader appearing for the respondents 1 & 2 and the learned Standing Counsel appearing for the third respondent would submit that the respondents have cleared all the payments payable to the petitioner pursuant to the Government Order in G.O.(Ms) No. 29, Tourism, Culture and Religious Endowments (RE4-1) Department, dated 19.01.2023.

5. No prejudice will be caused to the respondents, if the petitioner is allowed to give a representation seeking for payment of arrears of salary, if any, pursuant to the Government Order in G.O.(Ms) No.29, Tourism, Culture and Religious Endowments (RE4-1) Department, dated 19.01.2023, referred to supra, and the said representation is considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. After recording the fact that subsequent to the filing of this writ petition, the respondents have issued a fresh Government Order in G.O.(Ms) No.29, Tourism, Culture and Religious Endowments (RE4-1) Department, dated 19.01.2023, revising the scale of pay for the Special Security Guards in



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the subject Temple and the petitioner's pay has also been revised in accordance with the aforesaid Government Order, this writ petition is disposed of by granting liberty to the petitioner to submit a representation to the second respondent seeking for payment of arrears of salary, if any, pursuant to the Government Order in G.O.(Ms) No.29, Tourism, Culture and Religious Endowments (RE4-1) Department, dated 19.01.2023, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the second respondent shall pass final orders on merits and in accordance with law, within a period of eight weeks thereafter. No costs.

31.10.2025

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

krk

To:

1.The Additional Chief
Secretary to Government,
Tourism, Culture and Religious
Endowments (ANi4-1) Department,
State of Tamil Nadu,
Fort St.George, Chennai-9.



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2.The Commissioner,
Hindu Religious and
Charitable Endowments,
Nungambakkam, Chennai-34.



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ABDUL QUDDHOSE, J.

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