



W.P.(MD)No.10067 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.10067 of 2025

and

WMP (MD) Nos.7508 & 7509 of 2025

S.Thirumeninatha Patter

: Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
119, Uthamar Gandhi Salai,
Chennai.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thoothukudi.

3. The Assistant Commissioner /,
The Executive Officer, Arulmigu
Thirumalaikumara Swamy Thirukovil,
Panpozhi, Senkottai Taluk,
Tenkasi District.

4. K.Gomathi
The Assistant Commissioner / Executive
Officer (Additional Charge),
Arulmigu Thirumalaikumara Swamy Thirukovil,
Panpozhi, Senkottai Taluk, Tenkasi.



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5. A.Lakshmanan
Junior Assistant and Maniyam
(Additional Charge),
Arulmigu Thirumalaikumara Swamy Thirukovil,
Panpozhi, Senkottai Taluk, Tenkasi District.

6. Veerabagu,
Archahar (Daily Wages),
Arulmigu Thirumalaikumara Swamy Thirukovil,
Panpozhi, Senkottai Taluk,
Tenkasi District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the third respondent Se.Mu.Na.Lo.31/2024 dated 06.12.2024 and quash the same and further directing the third respondent to allot duty to the petitioner as per the customary practice.

For Petitioner : Mr.R.Balakrishnan

For Respondents : Mr.K.S.Selvaganesan

Addl. Government Pleader for R1 to R3

ORDER

This writ petition has been filed challenging the work table allotted to the petitioner by the third respondent for performing customary duties on a weekly basis and consequently, seeking a direction to the third respondent to assign duty to the petitioner in accordance with the customary practice.



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2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 4 to 6 is dispensed with.

3. The petitioner alleges that the impugned order has been passed by the third respondent at the instigation of the fifth respondent, with the intention of discriminating against the petitioner for having refused to comply with the unlawful directions issued by the fifth respondent. Challenging the same, the present writ petition has been filed.

4. In response, the learned Additional Government Pleader, appearing on behalf of the respondents 1 to 3, submitted that the petitioner has an adequate and effective alternate remedy under Section 21-A of the TN HR & CE Act. The learned Additional Government Pleader further submitted that any person aggrieved by the proceedings has the right to file an appeal before the appellate authority.



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5. At this juncture, the learned counsel for the petitioner submitted that the petitioner has already been preferred an appeal, which is presently pending before the second respondent.

6. Upon considering the submissions made by both parties and since it is observed that the petitioner has already filed an appeal before the second respondent, this Writ Petition stands disposed of with a direction to the second respondent to consider the said appeal, if already filed, and pass appropriate orders on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

09.04.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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