



W.P.(MD)No.17419 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.10.2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.17419 of 2025
and
WMP(MD).No.13287 of 2025

G.Shanmugasundaram

...Petitioner

Vs

1. The Commissioner,
HR & CE Department,
Nungambakkam,
Chennai.

2. The Joint Commissioner,
HR&CE Department,
Madurai.

3. The Assistant Commissioner,
Arulmigu Jenagai Mariaman Temple,
Sholavanthan,
Vadipatti Taluk,
Madurai District.

4. The Executive Officer,
Arulmigu Jenagai Mariamman Temple,
Sholavanthan,
Vadipatti Taluk,
Madurai District.



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5. The Trust Board/Fit Person,
Arulmigu Jenagai Mariamman Temple,
Sholavanthan, Vadipatti Taluk,
Madurai District.

6. V.Shanmugavel

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents 1-4 to conduct the interview, on the basis of the recruitment notification dated 07.07.2021, for the post of Poojakar for Arulmigu Jenagai Mariamman Temple, Sholavanthan, Vadipatti Taluk, Madurai District which was postponed vide communication dated 17.08.2021 and fill the vacancy on the basis of the aforesaid notification by following the due process as mandated in the TamilNadu Hindu Religious Institutions Employees (condition of service) Rules, 2020.

For Petitioner : M/s.S.Siva Ilayaraja

For Respondent
Nos. 1 to 4 : Mr.P.Subburaj
Special Government Pleader

ORDER

This writ petition has been filed seeking direction to the respondents 1-4 to conduct the interview, on the basis of the recruitment notification dated 07.07.2021, for the post of Poojakar for Arulmigu Jenagai Mariamman Temple, Sholavanthan, Vadipatti Taluk, Madurai



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District which was postponed vide communication dated 17.08.2021 and fill the vacancy on the basis of the aforesaid notification by following the due process as mandated in the TamilNadu Hindu Religious Institutions Employees (condition of service) Rules, 2020.

2. The learned Counsel for the petitioner would submit that the petitioner is qualified to be appointed as Poojari and pursuant to the notification issued by the respondent, he submitted an application for the post of Poojari. The petitioner was called for interview scheduled to be held on 18.08.2021. But, he was informed by communication dated 17.08.2021, the interview stands postponed. He further submits that the 6th respondent herein had filed a writ petition WP(MD).No.14699 of 2021, challenging the recruitment notification issued by the 4th respondent in which the petitioner had also made an application to implead himself as respondents. However, the said writ petition had been withdrawn by the 6th respondent. He further submits that the 6th respondent is performing poojas of the temple and he had been appointed by way of a special resolution passed by the 5th respondent. He submits that as per the provisions of the TamilNadu Hindu Religious Institutions Employees (condition of service) Rules, 2020, qualification has been



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prescribed for the post of Poojari and the same should be made only by way of direct recruitment. Without following the rules, the respondents cannot permit the 6th respondent to conduct poojas as Poojari and they have not given effect to the advertisement issued in the year 2021. Therefore, he prays this Court to direct the respondents to conduct an enquiry based upon the notification dated 07.07.2021 and fill up the vacancy forthwith.

3. The learned Special Government Pleader appearing for the respondent Nos.1 to 4 would submit that the impugned notification was issued as early as in the year 2021 and it had not been proceeded with thereafter. He further submits that the petitioner having slept over the issue had filed this present writ petition after a period of four years to implement the notification dated 07.07.2021 to its logical conclusion. He further submits that the petitioner does not have right to direct to conduct an interview based upon the notification dated 07.07.2021. He further submits that a proposal has been initiated to recruiting the temporary poojaris working in the temples and therefore, the petitioner cannot be said to claim to give effect to the notification dated 07.07.2021.



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4. The learned Counsel appearing for the 6th respondent would submit that the petitioner was inducted as a Poojari as early as in the year 2018 in the vacancy was created due to the retirement of one Ganesan. He further submits that even though he had challenged the notification issued, he had been called upon to furnish particulars, in view of the policy taken by the state to regularize the temple staffs who had worked for more than five years on temporary basis or consolidated pay. Since the petitioner had been working from the year 2018 he had also given his representation and he has also furnished the details for such regularization and hence he had withdrawn the said writ petition. He further submits that the writ petitioner itself is hit by delay and laches, as the notification made in the year 2021 and he approached this Court only now. Therefore, he prays to dismiss the writ petition on the ground of delay and laches.

5. I have considered the submissions made on either sides and carefully perused the material available on record.

6. Admittedly, a notification has been given in the year 2021 and the petitioner had approached this Court after a period of four years



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seeking for a direction to conduct an interview based on the said notification. It has been brought to the notice of this Court that policy decision has been taken to regularize the services of the temporary staffs and staffs working on consolidated basis in the temple and pursuant to that the 6th respondent had also furnished the details of his employment in the 4th respondent temple. The petitioner who had made only application pursuant to the notification do not have any vested right to seek for a direction to bring the notification to its logical conclusion, that too after a period of four years from the date of issuance of the said notification. Therefore, the claim of the petitioner is hit by delay and laches.

7. In view of the same, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

10.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn

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