



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

**W.P. (MD) No.7210 of 2018**

**and**

**W.M.P. (MD) No.6928 of 2018**

T.Arumugam

... Petitioner

Vs.

1.The District Collector,  
Sivagangai District,  
Sivagangai.

2.The Tahsildar,  
Sivagangai Taluk,  
Sivagangai.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to return the "Gods Idols and Brass Pooja Materials" taken possession by the 2<sup>nd</sup> respondent on 07.02.2018 night, during the demolition of "Sri Kalvi Varamtharum Selva Vinayagar Temple" at Sreenivasa Nagar, Panangadi Road, Sivagangai as listed out in the petitioner's representation dated 03.03.2018, within time limit to be fixed by this Court.

For Petitioner : Mr.R.M.Makeesh Kumaravel  
For Respondents : Mr.Aayiram K.Selvakumar,  
Additional Government Pleader.

**ORDER**

By consent of both parties, this writ petition is taken up for final disposal.

2.It is the grievance of the petitioner that the petitioner's representation dated 03.03.2018 seeking return of the Gods Idols and Brass Pooja Materials, taken possession by the second respondent on 07.02.2018, has not been considered by the second respondent till date and therefore, has filed the present writ petition.



3.This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or other. Non consideration of the same would amount to dereliction of their ordinary duties of their office and as such this Court would be justified in invoking its powers under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

4.In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 03.03.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs. Consequently, W.M.P.(MD)No.6928 of 2018 is closed.

Sd/-  
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar-

To

1.The District Collector,  
Sivagangai District,  
Sivagangai.

2.The Tahsildar,  
Sivagangai Taluk,  
Sivagangai.

+1cc to Mr.R.M.Makeshkumaravel, Advocate Sr.No.62158  
+1cc to Special Government Pleader,Sr.No.62177

ta  
vb/rsk/sar3/2p/4c/18/05/2018

**W.P. (MD)No.7210 of 2018**  
**18.04.2018**



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