



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2018

CORAM:

WEB COPY

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

W.P.(MD) No.7439 of 2018

Manalikarai Muslim Jamath Committee,
Represented by its President,
M.Meera Maideen,
Manalikarai, Kanyakumari District-629 164. ... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District at Nagercoil.
- 2.The Assistant Director (Town Panchayat),
Nagercoil, Kanyakumari District.
- 3.The Inspector of Wakfs,
Kanyakumari District.
- 4.The Superintendent of Police,
Kanyakumari District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first and fourth respondents to permit the petitioner to carry out repair and renovation work of the Manalikarai Muslim Jamath Mosque in pursuant to the proceeding of the third respondent in Na.Ka.GS.No.54/Va.A/K.Kumari/2014 dated 16.09.2014.

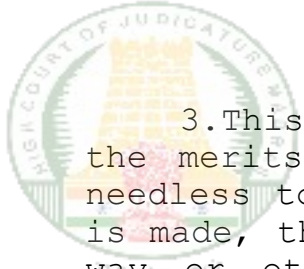
For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.V.Anand,
Government Advocate.

ORDER

This Writ Petition has been filed, seeking for a direction to the first and fourth respondents to permit the petitioner to carry out repair and renovation work of the Manalikarai Muslim Jamath Mosque, in pursuant to the proceeding of the third respondent in Na.Ka.GS.No.54/Va.A/K.Kumari/2014 dated 16.09.2014.

2.According to the petitioner, his representation dated 06.03.2018, requesting to take immediate steps to repair Mosque has not been considered by the first and fourth respondents 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 first and fourth respondents to consider the petitioner's representation dated 06.03.2018, in the light of the proceeding of the third respondent in Na.Ka.GS.No.54/Va.A/K.Kumari/2014 dated 16.09.2014, on its own merits and take further action in accordance with law, within a period of three 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.

Sd/-
Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

- 1.The District Collector,
Kanyakumari District at Nagercoil.
 - 2.The Assistant Director (Town Panchayat),
Nagercoil, Kanyakumari District.
 - 3.The Inspector of Wakfs,
Kanyakumari District.
 - 4.The Superintendent of Police,
Kanyakumari District.
- +1cc to Mr.R.Maheswaran, Advocate, SR.No.62663.

W.P. (MD) No.7439 of 2018
20.04.2018

MYR