



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.04.2018

CORAM

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No. 8083 of 2018

and

W.M.P. (MD) No. 7665 of 2018

Ponraj

: Petitioner

Vs.

1. The Divisional Railway Manager,
Southern Railway, Madurai Division,
Madurai.
2. The Station Master,
Kurumbur Railway Station,
Kurumbur, Thiruchendur Taluk,
Thoothukudi District.
3. The Estate Officer, (Southern Railway),
Divisional Office, Works Branch,
Madurai.
4. The District Collector,
Thoothukudi District,
Thoothukudi.
5. The Tasildhar,
Tiruchendur Taluk Office,
Tiruchendur, Thoothukudi District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the representation dated 24.03.2018 within the time frame fixed by this Court and consequently not to demolish the "Pillayar Temple" situated within the premises of Kurumbur Railway Station, pending disposal of the representation dated 24.03.2018.

For Petitioner

For Respondents 4 & 5

<https://hcservices.ecourts.gov.in/hcservices/>

: Mr.J.Ashok

: Mr.S.Nagarajan,

Special Government Pleader.

**O R D E R**

Heard Mr.J.Ashok, learned counsel appearing for the petitioner and Mr.S.Nagarajan, learned Special Government Pleader, who takes notice on behalf of the respondents 4 and 5. Since no adverse order is going to be passed against the respondents 1 to 3, notice to the respondents 1 to 3 is dispensed with.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.It is the grievance of the petitioner that his representation dated 24.03.2018 seeking recognition of the presence of "Pillayar Temple" inside Kurumbur Railway Station has not been considered by the respondents till date and therefore, has filed the present writ petition.

4.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.

5.In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 24.03.2018 on its own merits and take further action in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The Divisional Railway Manager,
Southern Railway, Madurai Division,
Madurai.

2. The Station Master,
Kurumbur Railway Station,
Kurumbur, Thiruchendur Taluk,
Thoothukudi District.



3. The Estate Officer, (Southern Railway),
Divisional Office, Works Branch,
Madurai.

4. The District Collector,
Thoothukudi District,
Thoothukudi.

5. The Tasildhar,
Tiruchendur Taluk Office,
Tiruchendur, Thoothukudi District.

+1CC to Mr.J.Ashok Advocate (SR 61450).

MYR

DS/JC/SAR-4 :03.05.2018: 3P/7C

W.P. (MD) No. 8083 of 2018

13.04.2018