



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2018

C O R A M

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.8159 of 2018

WEB COPY

P.Ayyanar

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sivagangai.

2.The Tahsildar,
Manamadurai Taluk,
Manamadurai.
Sivagangai District.

3.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

4.The Manager,
Sivagangai Devasthanam,
Sivagangai.

5.M.Boominathan

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 and 3 herein to direct the fourth respondent to receive temple festival Vari from petitioner and his community people and allow them to participate during the 2018 Chithirai Thiruvizha at Manamadurai Sri Ananthavalli Amman Somanathar Thirukkivil from 21.04.2018 onwards.

For Petitioners : Mr.S.Bharathi

For Respondents : Mr.N.Shanmugaselvam (R1 to R4)
Additional Government Pleader
No appearance (For R5)

O R D E R

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

2.It is the grievance of the petitioner that his representation dated 06.04.2018 to receive temple festival Vari from the petitioner and his community people and allow them to participate during the 2018 Chithirai Thiruvizha at Manamadurai Sri Ananthavalli Amman



Somanathar Thirukkovil has not been considered by the 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 respondents to consider the petitioner's representation dated 06.04.2018 on its own merits and take further action in accordance with law. Since the festival is scheduled to be held on 21.04.2018, the first respondent shall pass necessary orders on or before 21.04.2018 at 09.00 am. It is made clear that I have not expressed any of my views with regard to the petitioner's right to collect Vari or worship.

5. With the above direction, the Writ Petition stands allowed. No costs.

Sd/
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Sivagangai.
2. The Tahsildar,
Manamadurai Taluk,
Manamadurai.
Sivagangai District.
3. The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
4. The Manager,
Sivagangai Devasthanam,
Sivagangai.

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20.04.2018

RMK
KK/SV MMS/20.04.2018/SAR-2/2P-5C