



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.8695 of 2018
and
W.M.P. (MD) No.8157 of 2018

R.Kandhavel

... Petitioner

vs.

1.The District Magistrate /
District Collector
Theni Collectorate
Theni District

2.The Revenue Divisional Officer /
Sub Divisional Magistrate
Uthamapalayam

3.T.Raja Ganesan

4.P.S.M.Murugesan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to conduct the enquiry on representation, dated 04.04.2018 and thereby enable this petitioner to celebrate the temple festival from 27.04.2018 to 30.04.2018.

For Petitioner : Mr.K.P.S.Palanivelrajan

For Respondents : Mr.V.Anand

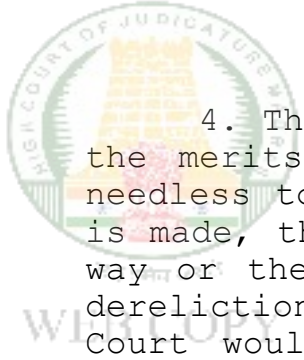
Government Advocate for R1 & R2

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 and 2. Notice to the respondents 3 and 4 is dispensed with in view of nature of the order to be passed by this Court.

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 04.04.2018 seeking permission to celebrate Temple festival from 27.04.2018 to 30.04.2018, has not been considered by the respondents 1 and 2 till date and therefore, he 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 the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. Since the Temple Festival is scheduled to be conducted from 27.04.2018 to 30.04.2018 and in view of the limited prayer sought for in this writ petition, the second respondent shall endeavour to dispose of the petitioner's representation, dated 04.04.2018, on or before 26.04.2018. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents 3 and 4 and any other person who may be interested in the subject matter.

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

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To:

1. The District Magistrate /
District Collector,
Theni Collectorate,
Theni District.

2. The Revenue Divisional Officer /
Sub Divisional Magistrate,
Uthamapalayam.

+1cc to M/S.K.P.S.Palanivelrajan, Advocate SR.No. 62346

W.P. (MD) No.8695 of 2018

and

W.M.P. (MD) No.8157 of 2018

19.04.2018

krk

JM/SV MMS/SAR 3/19.04.2018/2P/4C