



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.16943 of 2018

M. Muthulakshmi ... Petitioner

vs.

1. The Commissioner,
Office of the Hindu Religious Endowment Board,
119, Uthamar Gandhi Road,
Nungampakkam, Chennai - 600 034.

2. The Assistant Commissioner,
Office of the Hindu Religious Endowment Board,
Madurai-1.

3. The Executive Officer,
Sri Jenagaiperumal Kovil,
Sholavandan, Vadipatti Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the 1st respondent to consider the representation of the petitioner dated 05.12.2017 and direct the 1st respondent to revise the rent as fixed 500 percentage recently within a time frame as fixed by this Court.

For Petitioner : Mr.K.Muthuganesapandian
For Respondents-1 & 2 : Mr. J.Gunaseelanmuthiah,
Additional Government Pleader.

For Respondent-3 : Mr.S.Manohar,
Standing Counsel.

O R D E R

Mr. J.Gunaseelanmuthiah, learned Additioinal Government Pleader, takes notice for the respondents-1 & 2 and Mr.Manohar, learned Standing counsel takes notice for the respondent-3.

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 her representation dated 05.12.2017 seeking direction to the 1st respondent to revise the rent as fixed 500 percentage recently by the 3rd respondent till date and therefore, she 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. In view of the limited prayer sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the petitioner's representation dated 05.12.2017 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. Such an exercise shall be done after giving due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

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To:

1. The Commissioner,
Office of the Hindu Religious Endowment Board,
119, Uthamar Gandhi Road,
Nungampakkam, Chennai - 600 034.

2. The Assistant Commissioner,
Office of the Hindu Religious Endowment Board,
Madurai-1.

+1cc to Mr.S.K.MuthuGaneshaPandian, Advocate in SR No.76886
+1cc to Mr.Sk.Manohar, Advocate in SR No.76752
+1cc to Spl Government Pleader SR No.76588

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