



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.07.2018

C O R A M

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THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No. 14592 of 2018

and

W.M.P (MD) No. 13156 of 2018

Kannadhasan

... Petitioner

Vs.

1. The Commissioner,
HR & CE Department,
Chennai.

2. The Joint Commissioner,
HR & CE Department,
Madurai.

3. The Assistant Commissioner,
HR & CE Department,
Dindigul District,
Dindigul.

4. The Tahsildar,
Vedasandur Taluk,
Dindigul District.

5. The Thakkar,
Arulmigu Kaliyamman Mariamman Thirukovil,
Vaivespuram,
Vedasandur Taluk,
Dindigul District.

6. R. Subramani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 herein to initiate appropriate action against the 6th respondent by considering the representation of the petitioner dated 03.07.2018 in respect of celebration of the temple festival schedule to be on 08.07.2018 namely Shri Mariamman Shri Kaliyamman Temple situated at Vaivespuram Nagayakottai post Dindigul District consequently direct the respondents 1 to 4 to constitute temple festival committee for celebration of the temple festival within a time frame fixed by this Court.



For Petitioner : Mr.S.Gokul Raj
For Respondents 1-4 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader
For 5th Respondent : Mr.Muthugeethaiyan

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O R D E R

Heard Mr.S.Gokul Raj, learned counsel appearing for the petitioner and Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader, takes notice for the respondents 1 to 4 and Mr.Muthugeethaiyan, learned counsel takes notice for the 5th respondent.

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, to take action against the sixth respondent for collecting thalaikattu vari and for conducting temple festival by following the customs has not been considered by the respondents 1 to 5 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 fourth respondent to consider the petitioner's representation, dated 03.07.2018, 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. Such an exercise shall be made, after giving notice to the fifth and sixth respondents as well as any other persons, 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 (CS-II)

/True copy/



To

1.The Commissioner,
HR & CE Department,
Chennai.

2.The Joint Commissioner,
HR & CE Department,
Madurai.

3.The Assistant Commissioner,
HR & CE Department,
Dindigul District,
Dindigul.

4.The Tahsildar,
Vedasandur Taluk,
Dindigul District.

+1cc to Mr.S.Gokul Raj, Advocate, SR.No.71559.

+1cc to Mr.A.K.Baskarapandiyan, Advocate, SR.No.71592.

W.P. (MD) No.14592 of 2018

and

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06.07.2018

sj i

RAM/VR/SAR 3/06.07.2018/3P/7C