



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.15239 of 2018

Manimuthu

... Petitioner

vs.

1. The District Collector
Tirunelveli District
Tirunelveli.

2. The Revenue Divisional Officer
Tenkasi Region, Tenkasi,
Tirunelveli.

3. The Tahsildar
Sivagiri Taluk, Sivagiri
Tirunelveli District.

4. The Assistant Commissioner
Hindu Religious and Charitable Endowment Dept
Tirunelveli-2

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the fourth respondent herein to appoint a fit person in regulating the Arulmighu Sudalaimada Swamy Temple situated at Thalaivankottai Village, Nagaram P.O, Sivagiri Taluk, Tirunelveli District in view of proceedings initiated by the fourth respondent in Na.Ka.No.1418/2015-1/E1 dated 21.09.2017

For Petitioner : Mrs.P.Kalaiyarasi Bharathi

For Respondents : Mr.S.Nagarajan

Special Government Pleader

O R D E R

Mr.S.Nagarajan, learned Special Government Pleader, takes notice for the respondents.

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 13.06.2018 seeking to appoint a fit person in regulating the Arulmighu Sudalaimada Swamy Temple situated at



Thalaivankottai Village, Nagaram P.O, Sivagiri Taluk, Tirunelveli District, has not been considered by the fourth respondent 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. 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 13.06.2018 on its own merits and take further action in accordance with law, within a period of six 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 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-III)

/True Copy/

Sub Assistant Registrar (CS-II)

To:

1. The District Collector
Tirunelveli District
Tirunelveli.
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+1cc to M/S.Udhaya Law Associates, Advocate SR.No. 72895

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