



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

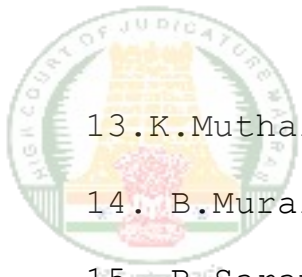
W.P. (MD) No.15254 of 2018

S.Kannan

... Petitioner

vs.

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Tirupathur Taluk,
Sivagangai District.
3. The Thasildhar,
Singampuneri Taluk,
Sivagangai District.
4. The Superintendent of Police,
Sivagangai District.
5. The Deputy Superintendent of Police,
Tirupathur Taluk,
Sivagangai District.
6. The Special Deputy Collector,
cum Nodal Officer (SSB),
Tirupathur Taluk,
Sivagangai District.
7. P.Pandyan
8. S.Ravichandran
- 9.V.Karuppaiah
10. S.Kesavan
11. S.Machakalai
- 12.P.Balakumar



13.K.Muthaiah @ Bhaskar

14. B.Muralidharan

15. B.Saravanan

16.S. Pillappan

17. K.Kalidass Yadav

18. K. Periyasamy

19. A.L.Muthaiah

20. S.P.Natarajan

21. R.Sevugaperumal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 1 to 6 herein to consider the petitioner representation dated 25.03.2018 and take necessary action against the respondents 8 to 21 herein for their misappropriation of funds, assets and accounts of Sri Velangudi temple and temple home and consequently direct the respondent no.6 herein to appoint an auditor to look into the accounts of said Sri Velangudi Temple and Temple home.

For Petitioner : Mr.M.Shakul Hameed

For Respondents : Mr.S.Nagarajan
No.1 to 6 Special Government Pleader

O R D E R

Mr.S.Nagarajan, learned Special Government Pleader takes notice for the respondents 1 to 6. Notice to the respondents 7 to 21 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 25.03.2018 seeking to take necessary action against the respondents 8 to 21 herein for their misappropriation of funds, asserts and accounts of Sri Velangudi temple and consequently direct the respondent no.6 herein to appoint an auditor to look into the accounts of said Sri Velangudi Temple , has not been considered by the second



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 second respondent to consider the petitioner's representation dated 25.03.2018 on its own merits and take further action in accordance with law, within a period of eight 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 the respondents 7 to 21 and 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(RTI)

/True Copy/

Sub Assistant Registrar(CS-I)

To:

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Revenue Divisional Officer,
Tirupathur Taluk,
Sivagangai District.
3. The Thasildhar,
Singampuneri Taluk,
Sivagangai District.
4. The Superintendent of Police,
Sivagangai District.



5. The Deputy Superintendent of Police,
Tirupathur Taluk,
Sivagangai District.

6. The Special Deputy Collector,
cum Nodal Officer (SSB),
Tirupathur Taluk,
Sivagangai District.

+ 1 cc TO Mr.M.Shakul Hameed , Advocate in SR No. 73356
+ 1 cc TO The Special Government Pleader in SR No. 73600

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AE/SKN RSK/SAR1/26.07.2018/4P/9C

W.P. (MD) No.15254 of 2018
16.07.2018