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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.16146 of 2018

Raman

... Petitioner

vs.

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Trichirapalli Region,
Neela Gireeshwarar Thoppu,
Trichy-5.
 - 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pudukkottai.
 - 3.The Revenue Divisional Officer,
Pudukkottai.
 - 4.The Tahsildar,
Ponnamaravathi Taluk,
Pudukkottai District.
 - 5.The Executive Officer,
Arulmigu Sri Mavayal Kattu Ayyanar Kovil and
Sri Adaikkalam Kathar Kovil,
Keelathaniyam,
Pudukkottai District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fifth respondent to do perform the Mandagapadi for 9th day of yearly festival to be celebrated on 04.08.2018 in Arulmigu Sri Mavayal Kattu Ayyanar and Sri Adaikkalam Kathar Kovil, Keelathaniyam Village, Ponnamaravathi Taluk, Pudukkottai District and consequently, not to allow the any private individual to perform the Mandagapadi for 9th day of the above said festival on the basis of petitioner's representation dated 15.07.2018.



For Petitioner :Mr.G.Kandhavadivelan
For R1 to R4 :Mr.J.Gunaseelanmuthiah
Additional Government Pleader
For R5 :Mr.G.Madhavan

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O R D E R

Mr.J.Gunaseelanmuthiah, learned Additional Government Pleader takes notice for the respondents 1to 4 and Mr.G.Madhavan, learned counsel, takes notice for the fifth 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 dated 15.07.2018, seeking to perform the 9th day of Mandagapadi of yearly festival to be celebrated on 04.08.2018 in Arulmigu Sri Mavayal Kattu Ayyanar and Sri Adaikkalam Kathar Kovil, Keelathaniyam Village, Ponnamaravathi Taluk, Pudukkottai District, has not been considered by the respondents 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 application made by the petitioner. It is needless to point out that whenever an application 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 application within a stipulated time.

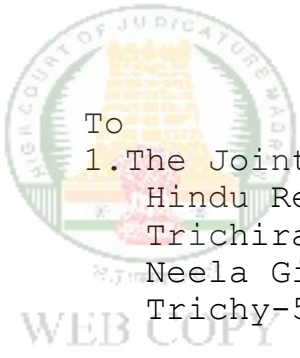
5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the fifth respondent to consider the petitioner's representation dated 15.07.2018 on its own merits and take further action in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to persons who may be interested in the subject matter.

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

Sd/
Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar (CS-II)



To

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Trichirapalli Region,
Neela Gireeshwarar Thoppu,
Trichy-5.

2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pudukkottai.

3.The Revenue Divisional Officer,
Pudukkottai.

4.The Tahsildar,
Ponnamaravathi Taluk,
Pudukkottai District.

+1cc to Mr.G.MATHAVAN, Advocate, SR.No. 74543

+1cc to M/s.Special Government Pleader,SR.No. 74826

W.P. (MD) No.16146 of 2018
24.07.2018

RMI

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