

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 25.07.2018****CORAM:****THE HONOURABLE MR. JUSTICE M.S. RAMESH****W.P. (MD) No.16331 of 2018**

WEB COPY

S.Nathappudaiyar

... Petitioner

vs.

1. The Commissioner
Hindu Religious & Charitable
Endowment Department, Chennai

2. The Joint Commissioner
Hindu Religious & Charitable
Endowment Department, Trichy

3. The Executive Officer / Fit Person
Arulmigu Malpoondi Vinayagar &
Mariamman Temple
Muthappanudaiyanpatti
Having office at Nallandavarkovil
Manapparai & Taluk, Trichy District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to consider my representation dated 18.06.2018 and direct the third respondent Fit Person to conduct all pre-kumbabishekam work under his direct control and appoint a village festival committee to conduct the Kumbabishekam to Arulmigu Malpoondi Vinayakar and Mariamman Temple of Muthappanudaiyanpatti, Manapparai Taluk, Trichy District.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For Respondents : Mr.V.Anand

Government Advocate for R1 & R2

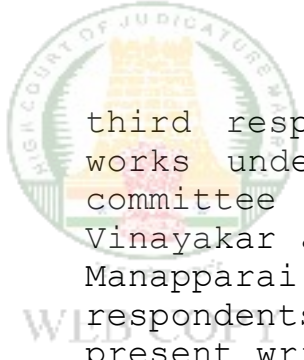
Mrs.S.Devasena for R3

O R D E R

Mr.V.Anand, learned Government Advocate, takes notice for the respondents 1 and 2 and Mrs.S.Devasena, learned counsel, takes notice for the third 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 18.06.2018 seeking for a direction to the



third respondent / Fit Person to conduct all pre-kumbabishekam works under his direct control and appoint a village festival committee to conduct the Kumbabishekam to Arulmigu Malpoondi Vinayakar and Mariamman Temple, situated at Muthappanudaiyanpatti, Manapparai Taluk, Trichy District, has not been considered by the respondents 1 and 2 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 18.06.2018 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 third respondent 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 (Writs)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Commissioner,
Hindu Religious & Charitable
Endowment Department,
Chennai.

2. The Joint Commissioner,
Hindu Religious & Charitable
Endowment Department,



+1cc to Mr.M.Karthikeya Venkitachalapathy, Advocate SR.No.74890
+1cc to Mrs.S.Devasena, Advocate SR.No.74928
+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.75338
Krk

MK/KAK/SAR 2/06.08.2018/3P/6C

WEB COPY

W.P. (MD) No.16331 of 2018
25.07.2018