

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.07.2018****CORAM:****THE HONOURABLE MR.JUSTICE M.S.RAMESH****W.P. (MD) No.16449 of 2018****WEB COPY**

S.Venkatesan

... Petitioner

vs.

1. The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
Sivagangai
Sivagangai District.

2. The Assistant Commissioner
Hindu Religious and Charitable
Endowment Department
Virudhunagar

3. The District Collector
Virudhunagar District
Virudhunagar

4. The Superintendent of Police
Virudhunagar District
Virudhunagar

5. The Inspector of Police
Town Police Station
Srivilliputhur
Virudhunagar District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to direct the respondents to handover the premises in T.S.No.2207 & 2208 situated at Srivilliputhur, Virudhunagar District by implementing the order passed by the first respondent vide his proceedings in Na.Ka.No.2969/2017/E1, M.P.No.26/2017 E1 dated 06.02.2018 on the basis of my representation dated 13.07.2018.

For Petitioner : Mr.S. Madhavan
For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

O R D E R

Mr.J.Gunaseelan Muthiah, learned Additional 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 13.07.2018 seeking to handover the premises in T.S.No.2207 & 2208 situated at Srivilliputhur, Virudhunagar District by implementing the order passed by the first respondent vide his proceedings in Na.Ka.No.2969/2017/E1, M.P.No.26/2017 E1 dated 06.02.2018, 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 13.07.2018 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.

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

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Joint Commissioner
Hindu Religious and Charitable
Endowment Department
Sivagangai
Sivagangai District.

2. The Assistant Commissioner
Hindu Religious and Charitable
Endowment Department
Virudhunagar



3. The District Collector
Virudhunagar District
Virudhunagar

4. The Superintendent of Police
Virudhunagar District
Virudhunagar

5. The Inspector of Police
Town Police Station
Srivilliputhur
Virudhunagar District

+1cc to Mr.S. Madhavan, Advocate SR.No.75179
+1cc to Mr.K.Balasubramani, Advocate SR.No.75226
+1cc to SPECIAL GOVERNMENT PLEADER, SR.No.75517
Aav
MK/SKN/SAR 3/07.08.2018/3P/9C

W.P. (MD) No.16449 of 2018
26.07.2018