



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.16945 of 2018

S. Palanisamy

... Petitioner

vs.

1. The Revenue Divisional Officer,
Dindigul,
Dindigul District.

2. The Tahsildar,
Dindigul West,
Dindigul District.

3. S.Gowthaman

4. A.Murugesan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the 1st respondent to permit the petitioner to do daily poojas and other connected rituals daily as well as in temple festival in Sri Kaliyamman Temple in Seelappadi Village, Nandavanapatti, Dindigul District by handing over the key of the temple by considering petitioner's final representation dated 02.07.2018.

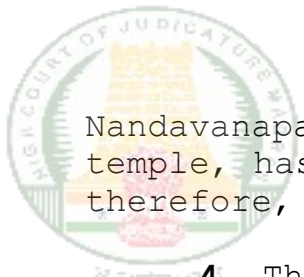
For Petitioner : Mr.M.P.Senthil
For Respondents-1 & 2 : Mr.J.Gunaseelanmuthiah,
Additional Government Pleader

ORDER

MrJ.Gunaseelanmuthiah, learned Additional Government Pleader, takes notice for the respondents-1 & 2. Notice to the respondents-3 & 4 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 02.07.2018 seeking to permit the petitioner to do daily poojas and other connected rituals daily as well as in temple festival in Sri Kaliyamman Temple in Seelappadi Village,



Nandavanapatti, Dindigul District by handing over the key of the temple, has not been considered by the 1st 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 1st respondent to consider the petitioner's representation dated 02.07.2018 on its own merits and take further action in accordance with law, within a period of four 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-3 & 4 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 (T&P)

/True Copy/

Sub Assistant Registrar(CS-III)

To:

1. The Revenue Divisional Officer,
Dindigul,
Dindigul District.
2. The Tahsildar,
Dindigul West,
Dindigul District.

+ 1 CC TO Mr.M.P.SENTHIL, ADVOCATE IN SR No. 77119
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 76587

KSA
TE/JM/SV/SAR-3 : 12/09/2018 : 2P/5C