



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2018

CORAM :

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.22082 of 2017

P.Sivagurunathan

: Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Sivagangai.
2. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Virudhunagar.
3. The Executive Officer/Thakkar,
Arulmigu Vaithiyanathaswamy Thirukovil,
Madavarvalagam, Srivilliputhur,
Virudhunagar District.
4. Arulmigu Badhrakaliamman Thirukovil,
Rep.by its Managing Trustee,
Dr.K.P.Balasubramanian,
No.186, Madasamy Kovil Street,
Palaya Palayam,
Rajapalauam-626 117.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the representation of the petitioner dated 25.10.2017 and takeover the administration of Arulmigu Badhrakaliamman Thirukovil, Chinnasuraikkaipatti, Rajapalayam, Virudhunagar District within the time frame fixed by this Court.

For Petitioner

: Mr.M.Saravanan

For R1 & R2

: Mr.J.Gunaseelan Muthiah
Additional Government Pleader

For R3

: Mr.P.Mahendran

For R4

: Mr.P.Thiagarajan

**ORDER**

The grievance of the petitioner that his representation dated 25.10.2017 seeking to takeover the administration of Arulmigu Badhrakaliamman Thirukovil, Chinnasuraikkaipatti, Rajapalayam, Virudhunagar District, has not been considered by the respondents till date and therefore, he has filed the present Writ Petition.

2.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.

3.In view of the limited prayer sought for in this Writ Petition, there shall be a direction to the first respondent to consider the petitioner's representation dated 25.10.2017 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. Such an exercise shall be done after giving due opportunity to the petitioner as well as any other persons who may be interested in the subject matter.

4.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Sivagangai.

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
Virudhunagar.

+ 1 cc TO Mr.P.Mahendran , Advocate in SR No. 72059
+ 1 cc TO Mr.R.Subramanian , Advocate in SR No. 71989
+ 1 cc TO The Special Government Pleader in SR No. 72359

gns

AE/SKN RSK/SAR1/20.07.2018/2P/6C

<https://hcservices.ecourts.gov.in/hcservices/>

W.P. (MD) No.22082 of 2017
10.07.2018