



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2019

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P (MD).No.17896 of 2019

S. Manoharan

.. Petitioner

Vs.

1. The Assistant Commissioner of Police
Fort Sub Division
Trichy City

2. The Inspector of Police
Gandhi Market
Trichy City

3. R.karunanithi
(R3 impleaded vide order dated 30.08.2019
in WMP(MD) No.14810 of 2019)

.....Respondents

Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the 1st respondent to consider the petition dt.27.7.2019 seeking permission to conduct the Arul Mugu Sri Sellamuthu Mariyamman Thirukovil festival from 01.9.2019 to 17.9.2019 at Kamaraj Nagar, North Tharanallur at Trichy City and permit to conduct the festival

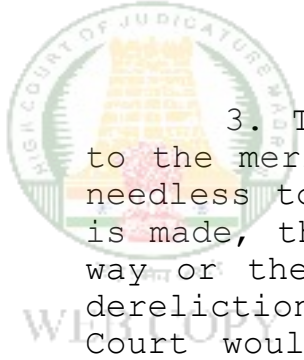
For Petitioner : Mr.Muthukrishnan

For Respondents: Mr.R.Anandharaj
No.1 & 2 Additional Public Prosecutor

ORDER

This Petition has been filed to direct the 1st respondent to consider the petition dt.27.7.2019 seeking permission to conduct the Arul Mugu Sri Sellamuthu Mariyamman Thirukovil festival from 01.9.2019 to 17.9.2019 at Kamaraj Nagar, North Tharanallur at Trichy City and permit to conduct the festival

2. It is the grievance of the petitioner that he has submitted a representation to the first respondent on 27.07.2019 for conducting Arulmugu Sri Sellamuthu Mariyamman Thirukovil festival from 01.9.2019 to 17.9.2019 at Kamaraj Nagar, North Tharanallur at Trichy City, which has not been considered by the second respondent till date and therefore, he has filed the present writ petition.



3. 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.

4. In view of the limited prayer sought for in this writ petition and without going into the merits of the case, there shall be a direction to the second respondent to consider the petitioner's representation dated 27.07.2019 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 rival parties.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar

To

1. The Assistant Commissioner of Police
Fort Sub Division
Trichy City

2. The Inspector of Police
Gandhi Market
Trichy City

+1 CC to M/s.S.MUTHUKRISHNAN, Advocate (SR-85384[F] dated
05/09/2019)

W.P (MD) .No.17896 of 2019
05.09.2019

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