



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2020

CORAM

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.11608 of 2020
(Heard through VC)

S.Venkatasubramani Iyer

... Petitioner

.Vs.

1. The District Collector
Collector Office
Thiruvallur

2. The District Health Officer
District Health Office
Thiruvallur - 602 001

3. The Deputy Director (Health Service)
Health Service Office
Thamaraipakkam Road, Eekkadu
Thiruvallur

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation dated 13.07.2020 and 03.08.2020.

For Petitioner : Mr.T.S.Kanmani
For RR 1 to 3 : Mr.Vijaya Kumar
Addl. Government Pleader

ORDER

Petitioner has sought for a direction to the respondents to consider his representations dated 13.07.2020 and 03.08.2020.

2. Petitioner states that he is an astrologer and has been doing purohitham work for the past several years. He further states that Mahalaya Amavasya or Pitru Paksha (Mahalaya Thithi) falls on 17.09.2020 and on that day, the legal descendants, used to give last ceremony "Mahalaya Thithi" to their forefathers. He further states that they will approach his house for performing that ceremony and that he has been performing the same for the past 50 years. In view of COVID-19 pandemic situation, he has sent a representation dated 13.07.2020 to the respondents



requesting permission to perform the ceremony. Since no response was forthcoming, he has sent another representation dated 03.08.2020 and the same is pending, the petitioner has approached this court with the writ petition.

3. Heard the learned counsel for the petitioner and perused the materials placed before this Court.

4. As the Tahsildar, Tiruvallur is the authority to consider the above representations, though he/she is not a party to the writ petition, considering the limited scope of the prayer and the facts and circumstances of the case, this Court, without expressing any opinion on the merits of the case, directs the Tahsildar, Tiruvallur to consider the representations of the petitioner dated 13.07.2020 and 03.08.2020, enquire into the same and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and by affording him an opportunity of personal hearing or virtual hearing and dispose it of, on or before 10.09.2020. The learned Special Government Pleader, is also directed to inform the Tahsildar about the order passed by this court.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector
Collector Office, Thiruvallur

2. The District Health Officer
District Health Office
Thiruvallur - 602 001

3. The Deputy Director (Health Service)
Health Service Office
Thamaraipakkam Road, Eekkadu
Thiruvallur

4. The Tahsildar, Tiruvallur.

+1 cc to M/s.T.Sellakannu, Advocate, Sr.No.28609

W.P.No.11608 of 2020

spd (co)
rr ii (11/09/2020)