

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.01.2020

C O R A M

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.26144 of 2014

P.Devaraj	...	Petitioner
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VS.

1.The District Collector,
Perambalur District. ... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondent to consider the petitioner's representation dated 20.08.2014 within specific time frame.

For Petitioner : Mr.G.Peranban

For Respondent : Mr.R.S.Selvam,
Government Advocate

ORDER

This writ petition has been filed for a mandamus to direct the respondent to consider the petitioner's representation dated 28.02.2014 within a time frame to be fixed by this Court.

2. It is the case of the petitioner that he is a hereditary trustee of Pennakonam Arulmigu Mariyamman Swamy, Ayyanar Swamy Temple situated at Pennakonam, Kunnam Taluk, Perambalur District. According to the petitioner, there are disputes amongst the trustees. It is his case that some unauthorized persons illegally trespassed into the temple to conduct poojas and attempted to unveil pillars. According to the petitioner, therefore, he gave a representation dated 20.08.2014 to the respondent calling upon him to investigate and take action against the unauthorised trespassers. It is the case of the petitioner that till date his representation dated 20.08.2014 has not been considered by the respondent. In such circumstances, this writ petition has been filed.

3. Heard Mr.G.Peranban, learned counsel for the petitioner and Mr.R.S.Selvam learned Government Advocate for the respondent.

4. The prayer sought for in this writ petition is an innocuous prayer. No prejudice will be caused to the respondent, if the prayer is granted. Further, the petitioner claims to be a hereditary trustee of Pennakonam Arulmigu

Mariyamman Swamy, Ayyanar Swamy Temple situated at Pennakonam, Kunnam Taluk, Perambalur District. It is his case that some unauthorised trespassers trespassed into the temple and attempted to conduct poojas and unveil pillars without the permission of the trustees of the temple. He has given a representation dated 20.08.2014 to the respondent calling upon him to take action against the trespassers.

5. Admittedly, the said representation has not been considered by the petitioner. In view of the same, this Court is inclined to grant an order directing the respondent to consider the petitioner's representation dated 20.08.2014 with regard to the illegal entry of trespassers into the temple and their attempt to conduct poojas and unveil pillars in the temple.

6. For the reasons stated above, the respondent is directed to consider the petitioner's representation dated 20.08.2014, and pass final orders after giving sufficient opportunity to the petitioner as well as other trustees and interested persons in accordance with law within a period of eight weeks from the date of receipt of a copy of this Order.

7. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

1.The District Collector,
Perambalur District.

+2cc to Government Pleader SR.No.35071, 3507

W.P.No.26144 of 2014

SR(CO)
GMY(11/02/2020)