



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2020

CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

W.P (MD).No. 27336 of 2019

K.Sangan

.. Petitioner

Vs.

1. The Superintendent of Police
Theni District, Theni
2. The Inspector of Police
Devathanapatti Police Station
Theni District
3. The Sub Inspector of Police
Jeyamangalam Police Station
Theni District

.....Respondents

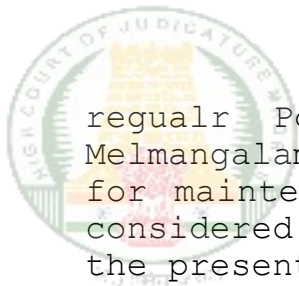
Prayer : This petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondent herein to give police protection and to perform daily Morning Poojai in the Margazhi month and regular Pooja in A/m.Sangiah Temple, at Azhagar Naickenpatti, Melmangalam Village, Periyakulam Taluk, Theni District temple and for maintenance and management of the temple by the petitioner as per the representation of the petitioner dated 28.11.2019 and 06.12.2019

For Petitioner	: Mr.K. Appadurai
For Respondents	: Mrs. S.Bharathi
No.1 to 3	Government Advocate (Crl.Side)

ORDER

This Petition has been filed to direct the respondent herein to give police protection and to perform daily Morning Poojai in the Margazhi month and regular Pooja in A/m.Sangiah Temple, at Azhagar Naickenpatti, Melmangalam Village, Periyakulam Taluk, Theni District temple and for maintenance and management of the temple by the petitioner as per the representation of the petitioner dated 28.11.2019 and 06.12.2019

2. It is the grievance of the petitioner that he has submitted representations to the respondents on 28.11.2019 and 06.12.2019 to perform daily Morning Poojai in the Margazhi month and



regualr Pooja in A/m.Sangiah Temple, at Azhagar Naickenpatti, Melmangalam Village, Periyakulam TaluK, Theni District temple and for maintenance and management of the temple , which has not been considered by the respondents till date and therefore, he has filed the present writ petition.

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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 representations dated 28.11.2019 and 06.12.2019 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 and to the rival parties if any.

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

Sd/-

Assistant Registrar (P&A)

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Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police
Theni District, Theni
2. The Inspector of Police
Devathanapatti Police Station
Theni District



3. The Sub Inspector of Police
Jeyamangalam Police Station
Theni District

+1 CC to Mr.K.APPADURAI, Advocate (SR-64[F] dated 03/01/2020)

W.P (MD).No.27336 of 2019
02.01.2020

VB(23.01.2020) 3P 5C