

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.34702 of 2019

S.Sridharan

.. Petitioner-in-person

Vs.

1. The Secretary to Government,
Department of Culture,
Government of India,
502-C, Shastri Bhawan,
New Delhi - 110 001.
2. The Member Secretary,
Law Commission of India,
4th Floor, B Wing, Lok Nayak Bhawan,
Khan Market, New Delhi - 110 003.
3. The Director General,
Archaeological Survey of India,
24, Tilak Marg,
New Delhi - 100 001.
4. Archaeological Survey of India,
Chennai Circle,
Fort St. George,
Chennai - 600 009.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents to consider the representation dated 12.10.2019 requesting the the respondents to amend Sections 25 and 26 of Antiquities and Art Treasures Act, 1972 within the time frame as may be fixed by this Hon'ble court.

For Petitioner

: Mr.S.Sridharan
Petitioner-in-person

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

The petitioner seeks a direction on the respondents for the respondents to consider a representation made by the petitioner on October 12, 2019 for amending the Antiquities and Art Treasures Act, 1972.

2. Since it is elementary that a writ of mandamus will not lie directing the legislature to legislate and, consequently, no direction can be issued by this branch of the sovereign to any other to bring about any amendment to a statute, no consequential orders in respect thereof can also be made. However, since a representation has been made, such representation may be considered by the respondents in their discretion and appropriate steps taken. If the respondents deem it necessary, the respondents may also give the writ petitioner a personal hearing.

W.P.No.34702 of 2019 is disposed of. There will be no order as to costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To:

1. The Secretary to Government,
Department of Culture,
Government of India, सत्यमेव जयते
502-C, Shastri Bhawan,
New Delhi - 110 001.
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+1 cc to Mr.S.Sridharan Advocate sr6629

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