



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.05.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.9397 of 2022

C.Karuppaiah

...Petitioner

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,
Thirumangalam, Madurai District.

3.The Inspector of Police,
Sindhupatti Police Station,
Madurai District.

4.Thangadurai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 herein to grant adequate police protection for conducting Periya Poosari Kattuthal function on 08.06.2022 at Vakurani Arulmigu Palla Karuppasamy Temple situated at Vagurani Village, Usilampatti Taluk, Madurai District on the basis of the representation, dated 22.04.2022.

For Petitioner : Mr.C.Senthil Murugan

For R1 to R3 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.Since the petitioner's request to the respondents 1 to 3 to grant adequate police protection for conducting Periya Poosari Kattuthal function on 08.06.2022 was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 22.04.2022, which is still pending.

3.It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution



of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, it would be appropriate to direct the third respondent herein to consider the petitioner's representation dated 22.04.2022, within a stipulated time and thereby the ends of justice could be secured. It is made clear that this Court has not expressed any of its view with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the third respondent to consider the petitioner's representation dated 22.04.2022, on its own merits and pass appropriate orders in accordance with law, within a period of two 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 fourth respondent and any other persons who may be interested in the subject matter.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Vacation Officer

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pnn/sji

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

1. The Superintendent of Police,
Madurai District.
2. The Deputy Superintendent of Police,
Thirumangalam, Madurai District.
3. The Inspector of Police,
Sindhupatti Police Station,
Madurai District.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.SENTHI MURUGAN, Advocate (SR-23557[F] dated
06/05/2022)

W.P. (MD) No.9397 of 2022
06.05.2022

MGJ(20.05.2022) 3P 6C