



WEB COPY

W.P (MD).No.9575 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.05.2022

CORAM

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

W.P (MD).No.9575 of 2022

M.Sakthivel

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Dindigul,
Dindigul District.
2. The Tahsildar,
Dindigul West Taluk,
Dindigul.
3. The Deputy Superintendent of Police,
Oddanchatram,
Dindigul District.
4. The Inspector of Police,
Reddiyarchatram Police Station,
Dindigul District,
Dindigul.

5. P.Ayyanar

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondents 1 to 4 to give protection for smooth performance of Arulmighu Sri Kaliamman Kovil and Sri Bagavathiamman Kovil festival from 24.05.2022 to 26.05.2022 at Patthunayaganpatti Utkadai Adidravida Street Dindigul west taluk Dindigul District.

For Petitioner : Mr.S.Alagarsamy

For Respondents : Mr.R.Suresh Kumar,

Government Advocate (Crl. Side)

ORDER

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 4 to grant adequate police protection for conducting Arulmighu Sri

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Kaliyamman Kovil and Sri Bagavathiamman Kovil festival on 24.05.2022 to 26.05.2022 was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 20.04.2022, 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 fourth respondent herein to consider the petitioner's representation dated 20.04.2022, 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 fourth respondent to consider the petitioner's representation dated 20.04.2022, on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible, preferably on or before **22.05.2022** 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 fifth 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/-

Vacational Officer/
Assistant Registrar (Crl.side)

// True Copy //

23/05/2022
Sub Assistant Registrar(CS)

btr/rmi

To

1. The Revenue Divisional Officer,
Dindigul, Dindigul District.

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2. The Tahsildar,
Dindigul West Taluk,
Dindigul.

3. The Deputy Superintendent of Police,
Oddanchatram,
Dindigul District.

4. The Inspector of Police,
Reddiyarchatram Police Station,
Dindigul District,
Dindigul.

+1 CC to M/s.S.ALAGARSAMY, Advocate (SR-23614[F] dated 11/05/2022)

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11.05.2022

RK(23/05/2022) 3P 6C