



W.P(MD)No.12096 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.05.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.12096 of 2023

and

W.M.P(MD)No.10375 of 2023

Rajesh

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Kulithalai,
Karur District.

3.The Tahsildar,
Krishnarayapuram Taluk,
Karur District.

4.The Inspector of Police,
Lalapettai Police Station,
Karur District.

5.Venkatachalam

6.Rengasamy

7.Subramani

... Respondents



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PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner's representation dated 12.05.2023 to resolve the issue for collection of temple tax or Thalakattu Vari from the petitioner and allow the petitioner and family to participate in the Vaikasi Festival at Arulmighu Sri Mariamman Temple situated at Thatha Goundanpatti Village, Karur District.

For Petitioner : Mr.V.Kannan
For Respondents : Mr.P.Subbaraj
Spl. Govt. Pleader (for R1 to R4)

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents 1 to 3 on 12.05.2023 to resolve the issue for collection of temple tax or Thalakattu Vari from him and allow his family to participate in the Vaikasi Festival at Arulmighu Sri Mariamman Temple situated at Thatha Goundanpatti Village, Karur District. Since the said representation was not considered, the present Writ Petition has been filed.



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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, nonconsideration 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, there shall be a direction to the respondents 1 to 3 to consider the petitioner's representation dated 12.05.2023 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views 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.



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5. With the above direction, the Writ Petition stands disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

18.05.2023

skn

Index :Yes/No

Internet :Yes/No

NCC : Yes / No

To

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4.The Inspector of Police,
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L.VICTORIA GOWRI., J.

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