



W.P(MD)No.12205 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.12205 of 2023
and
W.M.P(MD)No.10437 of 2023

V.C.Ramaiah

... Petitioner

Vs.

- 1.The Commissioner,
Hindu Religious and Charitable
Endowments Department,
Chennai.
- 2.The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thanjavur.
- 3.The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Pudukkottai.
- 4.The Inspector,
Arulmighu Alagambal Kovil,
Officer at Alangudi Nadiamman Kovil,
Alangudi Taluk,
Pudukkottai District.

... Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 2 and 3 to appoint the petitioner as Non-Hereditary trustee of Arulmighu Alagambal Temple (Temple No.TM030440) at Alagambal Village, Alangudi Taluk, Pudukkottai District by considering the petitioner applications dated 24.03.2023, uploaded on 25.03.2023.

For Petitioner : Mr.R.Paranjothi
For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

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

2. This writ petition is for a Mandamus directing the respondents 2 and 3 to appoint the petitioner as Non-Hereditary trustee of Arulmighu Alagambal Temple (Temple No.TM030440) at Alagambal Village, Alangudi Taluk, Pudukkottai District, by considering the petitioner's application dated 24.03.2023, uploaded on 25.03.2023. Since the said application 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, 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, there shall be a direction to the third respondent herein to consider the petitioner's applications dated 24.03.2023, uploaded on 25.03.2023 on its own merits and pass appropriate orders in accordance with law, within a period of six (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 stands closed.

18.05.2023

NCC : Yes
Index : Yes
Internet : Yes
BTR

To

1. The Commissioner,
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Endowments Department,
Chennai.
2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thanjavur.
3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Pudukkottai.
4. The Inspector,
Arulmighu Alagambal Kovil,
Officer at Alangudi Nadiamman Kovil,
Alangudi Taluk,
Pudukkottai District.



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L.VICTORIA GOWRI, J.

BTR

Order made in
W.P(MD)No.12205 of 2023

18.05.2023