



W.P.(MD).No.16982 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.07.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.16982 of 2023

Veerapathiran

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious & Charitable Endowment Department,
119, Uthamar Gandhi Salai,
Nungampakkam,
Chennai – 600 034.

2. The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Elis Nagar (Near Bus stop),
Madurai – 625 016.

3. The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Pandian Nagar, 1st Street,
Dindigul – 624 001.

4. C.P.M.S.V.P. Subashini,
Executive Hereditary Trustee,
Arulmigu Kottai Mariamman Thirukovil,
Hereditary Trustee,
Dindigul-624 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Mandamus***, directing the respondents to consider the petitioner's representation, dated 04.07.2023 and announced the



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tender in all shops including small food business in the Dindigul Arulmigu Kottai Mariamman Koil.

For Petitioner : Mr.P.Manikandan

For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

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

2. The petitioner herein had submitted a representation to the respondents on 04.07.2023 to annouce the tender in all shops including small food business in the Dindigul Arulmigu Kottai Mariamman Koil. Since the said representation was not considered, the present writ petition has been filed.

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.



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4. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation, dated 04.07.2023 on its own merits and pass appropriate orders in accordance with law, within a period of three 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.

5. In view of the above, this Writ Petition is allowed. There shall be no order as to costs.

13.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Note : Issue a copy of order on 13.07.2023



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S.SRIMATHY, J.

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