



W.P.(MD).No.17532 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.17532 of 2023

Dr.SK.Venkattassaslapandian

... Petitioner

Vs.

1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
(HR & CE), Sivagangai.

2.The Assistant Commissioner,
Hindu Religious & Charitable Endowment,
(HR & CE), Sivagangai.

3.Athmanaban

... 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 1 and 2 herein to consider the representation of the petitioner dated 15.06.2023.

For Petitioner : Mr.S.Manikandan

For R-1 and R-2 : Mr.S.P.Maharajan,
Special Government Pleader



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ORDER

This Writ Petition is filed for Writ of Mandamus, directing the 1st and 2nd respondents to consider the petitioner's representation dated 15.06.2023.

2. 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.

3. Since this Court is not hearing the case on merits, notice to the 3rd respondent is dispensed with.

4. In the light of the above observations, there shall be a direction to the respondents 1 and 2 herein to consider the petitioner's representation dated



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15.06.2023 on its own merits, after giving notice to the petitioner and the 3rd respondent, after granting personal hearing to both the petitioner and the 3rd respondent and then pass appropriate orders in accordance with law, within a period of three months 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 the 3rd respondent.

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

20.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowment,
(HR & CE), Sivagangai.
- 2.The Assistant Commissioner,
Hindu Religious & Charitable Endowment,
(HR & CE), Sivagangai.



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S.SRIMATHY, J.

Nsr

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