



W.P(MD)No.28393 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

W.P(MD)No.28393 of 2024

A.M.Sundaravel

... Petitioner

vs.

1. The Principal Secretary,
Hindu Religious and Charitable
Endowments Department, (HR & CE),
State of Tamil Nadu,
Chennai-600 009.

2. The District Collector,
Tirunelveli District,
Tirunelveli-627 009.

3. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department, (HR & CE)
Palayamkottai, Tirunelveli-627 002.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to direct the respondents 2 and 3 to take necessary steps to conduct renovation and maintenance work in and around flooring area and construction area of the premises and also to regulate the daily opening time of the



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temple premises of the temple namely, Lakshmi Narayana Perumal situated at East Street, Munnerpallam, Tirunelveli District, by considering the petitioner's representation dated 10.11.2024 within a stipulated period as framed by this Court.

For Petitioner : Mr.A.M.Sundaravel/party in person
For R1 to R3 : Mr.P.Thilakkumar, Government Pleader

ORDER

(Order of the Court was made by **M.S.RAMESH, J.**)

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. This writ petition has been filed for a Mandamus, directing the 1st respondent to direct the respondents 2 and 3 to take necessary steps to conduct renovation and maintenance work in and around flooring area and construction area of the temple premises and also to regulate the daily opening time of the temple namely, Arulmigu Lakshmi Narayana Perumal situate at East Street, Munnerpallam, Tirunelveli District, by considering the petitioner's representation dated 10.11.2024, within a time frame.



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3. Alleging non maintenance of Arulmigu Lakshmi Narayana

Perumal Temple at East Street, Munnerpallam, Tirunelveli District, and seeking renovation of the temple indicating the damaged floors of the temple premises, the petitioner has made a representation dated 10.11.2024 to the respondents and finding no heed to it was paid, he has filed this Public Interest Litigation seeking the abovesaid relief.

4. Heard the learned counsel appearing for the petitioner and learned Government Pleader appearing for the respondents.

5. 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 him 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 the Constitution of the India and direct them to consider the same within a stipulated time.



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6. In the light of the above observations, there shall be a direction to the respondents herein, to consider the petitioner's representation dated 10.11.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject property, 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 matter and that it is open to the concerned respondents to consider the same on its own merits.

7. With the above direction, the Writ Petition stands disposed of. No costs.

(M.S.R, J.) (A.D.M.C, J.)
27.11.2024

Index : Yes / No
Neutral Citation : Yes / No
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To

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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

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ORDER MADE IN
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DATED : 27.11.2024