



W.P.(MD)No.3992 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.3992 of 2025

Malathi

: Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
119, Uthamar Gandhi Road,
Nungambakam, Chennai 34.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Thoothukudi District.

3. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Tenkasi District.

4. The District Collector,
Tenkasi District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3



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to consider the representation dated 22.01.2025 and bring the administration of the Vennimalai Arulmigu Sri Valli Deva Senna sametha Subramaniya Swamy Temple situated at Kamaraj Nagar, Pavoorchatram, Tenkasi District under the control of the Hindu Religious and Charitable Endowments Department in accordance with law within stipulated time.

For Petitioner : Mr.S.Baskar Mathuram
for M/s.Mathuram Law Associates
For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to bring the administration of the Vennimalai Arulmigu Sri Valli Deva Senna Sametha Subramaniya Swamy Temple situated at Kamaraj Nagar, Pavoorchatram, Tenkasi District, under the control of the Hindu Religious and Charitable Endowments Department, by considering her representation dated 22.01.2025.

2. The petitioner claims that the said Temple was constructed by the donations given by the village peoples in and around the Temple for conducting festivals and carrying out renovation work of the Temple.



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The grievance of the petitioner is that, in recent times, the devotees and villagers have become dissatisfied with the Temple administration, as funds are allegedly being misappropriated by certain individuals incharge of the Temple's administration. In this regard, the petitioner submitted a representation on 22.01.2025. However, since no action has been taken, the petitioner has now filed the present Writ Petition.

3. Heard both sides.

4. 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 India and direct them to consider the same within a stipulated time.



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5. 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 22.01.2025, 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 matter, within a period of four weeks from the date of receipt of a copy of this order. It is also 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 respondents 1 to 3 to consider the same on its own merits.

6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

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Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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