



W.P.(MD)No.4996 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.4996 of 2025

M.Senguttuvan

: Petitioner

Vs.

1. The Commissioner,
Hindu Religious and Charitable Endowment Department,
No.119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600034.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Niligiris Thoppu Road,
Thiruvanaikovil, Trichy - 620005.

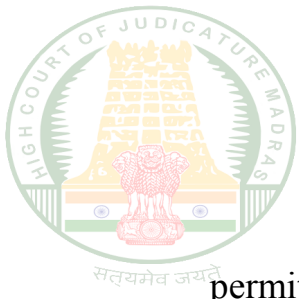
3. The District Collector,
District Collector Office,
Trichy District.

4. The Superintendent of Police,
Superintendent of Police Office,
Trichy District.

5. The Executive Officer,
Arulmighu Samyapuram Mariyamman Temple,
Samayapuram Mannachanallur Taluk,
Trichy District.

: Respondents

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



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permit the petitioner to participate the 8th day Mandakapadi Celebration on the eve of Samayapuram Chariot festival along with other villagers by considering the representation dated 12.02.2025.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.K.S.Selvaganesan

Additional Government Pleader
for R1 to R3

Mr.V.Chandrasekar for R5

Mr.K.Gnanasekaran

Government Advocate for R4

ORDER

This writ petition has been filed seeking a mandamus, directing the respondents to permit the petitioner to participate the 8th day Mandakapadi celebration on the eve of Samayapuram Chariot festival, along with other villagers, by considering the representation dated 12.02.2025.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

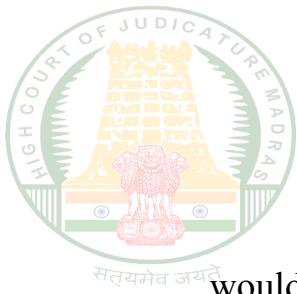


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3. The petitioner's case is that he previously filed a writ petition in W.P.(MD) No.9008 of 2024 seeking first honour in the Mandakapadi celebration. However, this Court dismissed the writ petition by order dated 10.04.2024. Subsequently, during the 8th day Mandakapadi festival held on 15.04.2024, the petitioner was restrained from worshipping the Deity, with the reasoning that the writ petition had been dismissed. The petitioner's grievance is that the respondents misinterpreted the Court's order, erroneously assuming that he was prohibited from participating in the ritual and attending the rites alongside the other villagers. In this regard, the petitioner submitted a detailed representation on 12.02.2025, requesting the respondents to allow him to participate in the 8th day Mandakapadi celebration. However, as no action has been taken on the representation, the petitioner has now filed the present writ petition.

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



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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.

5. In the light of the above observations, there shall be a direction to the fifth respondent, to consider the petitioner's representation dated 12.02.2025, 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 two months 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 fifth respondent 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.

25.02.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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