



W.P.(MD)No.6644 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6644 of 2025

A.Saravanan

: Petitioner

Vs.

The Executive Officer,
Siddi Vinayagar Koil, Keelandar Street,
Tiruchirapalli - 620 002.
Office At
Arulmigu Naganatha Swamy Thirukoil,
Nandikoil Street, Tiruchirapalli.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent herein to consider the representation dated 08.12.2024, 09.01.2025 and 20.02.2025 and furnish the particulars with regard to the arrears of rent as claimed by the temple and the details of the re-fixation of the rent.

For Petitioner : Ms.AL.Ganthimathi, Senior Counsel
for Mr.C.Mahadevan

For Respondent : Mr.V.Chandrasekar



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ORDER

This Writ Petition has been filed seeking a direction to the respondent to furnish the particulars with regard to the arrears of rent as claimed by the temple and the details of the re-fixation of the rent, by considering the representations dated 08.12.2024, 09.01.2025 and 20.02.2025.

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.

3. The petitioner asserts that his late father was a tenant of the land belonging to the respondent Temple. After the demise of the petitioner's father, the petitioner's mother continued to be a tenant and paid rents to the Temple. While the tenancy continued, the respondent Temple issued a notice to the petitioner, stating that the petitioner is an encroacher and there are arrears of rent to be paid. Despite the petitioner being ready to pay the arrears, another notice dated 27.11.2024 informed



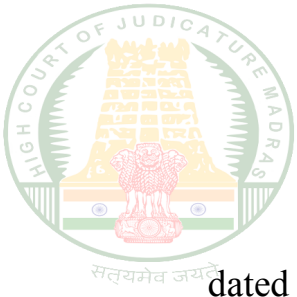
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the petitioner that due to the arrears of rent, the tenancy was terminated and proceedings would be initiated for recovery of possession. In response, the petitioner submitted representations on 08.12.2024, 09.01.2025 and 20.02.2025, requesting the respondent to furnish the particulars regarding the dues and the re-fixation of rent. However, since no action has been taken, 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 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 respondent, to consider the petitioner's representation



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dated 20.02.2025, 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 eight 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 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.

12.03.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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