



W.P.(MD)No.6726 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.6726 of 2025

A.Madhavan

: Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Sivagangai District.

2. The Administrative Officer,
Arulmigu Thirukottiyur Sowmiya Narayana
Perumal Thirukovil,
Sivagangai Samasthanam Devasthanam Temple,
Sivagangai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to pass appropriate orders to the 2nd respondent so as to follow the procedure of rotation basis for doing religious service among all Archakars during the 10th day of Theppa Urchava Festival scheduled to be taken place on 14.03.2025 at Arulmigu Sowmiya Narayana Perumal Thirukovil, Thirukottiyur, Sivagangai District on the strength of the petitioner's representation dated 05.03.2025.



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For Petitioner : Mr.R.Anand

For Respondent : Mr.K.S.Selvaganesan

Addl. Govt. Pleader for R1

Mr.S.Madhavan for R2

ORDER

This Writ Petition has been filed seeking a direction to the first respondent to pass appropriate orders to the second respondent so as to follow the procedure of rotation basis for doing religious service among all Archakars during the 10th day of Theppa Urchava Festival scheduled to be taken place on 14.03.2025 at Arulmigu Sowmiya Narayana Perumal Thirukovil, Thirukottiyur, Sivagangai District, by considering the petitioner's representation dated 05.03.2025.

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.

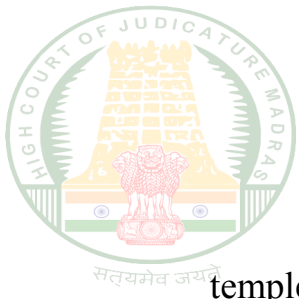


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3. The petitioner asserts that the second respondent, along with the first respondent, has scheduled the *Theppa Urchavam* from 04.03.2025 to 15.03.2025, with the tenth day of the festival now falling on 14.03.2025. The petitioner's grievance is that, traditionally, the *Theppa Thiruvizha* in temples under the control of the first respondent has been conducted on a rotational basis, allowing all archakars (priests) associated with the temple an opportunity to perform the religious services. However, in this instance, the participation of archakars is not being managed according to the rotational system, as is customary in other temples. The petitioner submitted a representation on 05.03.2025 addressing this issue, but since no action has been taken, the petitioner has now filed the present writ petition.

4. The learned Additional Government Pleader, appearing on behalf of the first respondent, submits that the petitioner submitted his representation at the end of the festival and therefore, the officials were unable to consider the petitioner's representation, as the tenth day of the festival for the said temple falls on 14.03.2025. The learned Additional Government Pleader further submits that the customary practices of the



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temple will continue as they did in the previous year and that the petitioner will be allowed to participate in the said festival.

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

6. In the light of the above observations, there shall be a direction to the first respondent, to consider the petitioner's representation dated 05.03.2025, 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 one week from the date of receipt of a copy of this order. In the meantime, the petitioner is allowed to



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participate in the 10th day of Theppa Urchava Festival which is scheduled to be taken place on 14.03.2025. 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.

7. 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

PKN

Note: Issue order copy on 13.03.2025.



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To

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Sivagangai District.

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Perumal Thirukovil,
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VIVEK KUMAR SINGH, J.

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