



W.P.(MD)No.7266 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.7266 of 2025

K.Singaravadiivel

: Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
SM Road,
Near Temple Tower Hotel,
Thanjavur.

2. The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Department,
Pudukottai, Pudukottai District.

3. The Executive Officer,
Hindu Religious and Charitable
Endowment Department,
Pudukottai Thirukovilkal
(Near Parkathambal Thirukovil),
Thirukokarnam,
Pudukottai.

4. The Inspector,
Hindu Religious and Charitable Endowment Department,
Avudaiyarkovil, Pudukottai District.



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WEB COPY 5. Mohan

6. Chinathambi

7. Muthu @ Muthukumar

8. Balakrishnan

9. Palanichamy

10. Vijay

11. Selvarangam : Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1 to 3 respondents take necessary action relating to illegal activities and mismanagements of Sree Pulikutti Ayyanar Temple and its allied temples are situated in SF No.14/6 at Pattamudaiyan Village, Avudaiyarkovil Taluk, Pudukkottai District based on petitioners representation dated 13.12.2024 within a time frame fixed by this Honble Court, consequently directing the 1 to 4 respondents to ensure that administration, festivals, functions and all events of said temple should be conducted by Hindu Religious Charitable Endowment Department and not by any of the private parties without any authentication.

For Petitioners : Mr.T.Vadivelan

For Respondents : Mr.K.S.Selvaganesan

Additional Government Pleader
for R1 to R4



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Mr.S.Deenadhayalan
for R2 to R4

ORDER

This writ petition seeks a direction to the respondents 1 to 3 to take necessary action regarding the illegal activities and mismanagement of Sree Pulikutti Ayyanar Temple and its allied temples situated in SF No.14/6, Pattamudaiyan Village, Avudaiyarkovil Taluk, Pudukkottai District, based on the petitioner's representation dated 13.12.2024, within a time frame. Further to direct the respondents 1 to 4 to ensure that the administration, festivals, functions and all events of the said temples are conducted by the Hindu Religious and Charitable Endowment Department and not by private parties without proper authorization.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 5 to 11 is dispensed with.



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3. The petitioner claims to be a devotee in the subject non-listed temple. The grievance of the petitioner is that the respondents 5 and 6 have collected donations from the village peoples for temple construction as if they are authorized from the HR & CE Department. In this regard, the petitioner submitted a detailed representation on 13.12.2024 to the official respondents, requesting to take necessary action against the private respondents. However, since no action has been taken, the petitioner has now filed the present writ petition.

4. Heard both sides.

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



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stipulated time.

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6. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 13.12.2024, 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 matter, within a period of three 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 second 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.

18.03.2025

Index : Yes / No

Internet : Yes / No

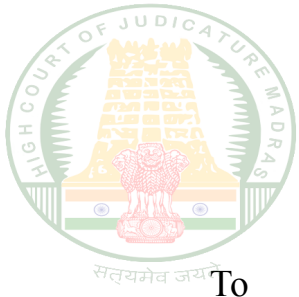
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VIVEK KUMAR SINGH, J.

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