



W.P.(MD)No.7466 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.7466 of 2025

and WMP (MD) No.5621 of 2025

N.Mohan

: Petitioner

Vs.

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

2. The District Collector,
Karur District,
Karur.

3. The Assistant Director of Panchayats,
O/o. the Assistant Director of Panchayats,
Karur District.

4. The Assistant Commissioner,,
Hindu Religious Charitable Endowments
Department,
11/ad, Saminathapuram 1st Cross Street,
Karur 639001.

5. Arulmigu Vangal Ravishwara Swamy Temple,
by its Executive Officer,



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Vangal,
Karur District.

6. The Tahsildhar,
Manmangalamtaluk,
Karur District.

7. Kuchipalayam Village Panchayat,
Rep by its Panchayat President,
Kuchipalayam,
Karur 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 6 to initiate appropriate action Under Section 78 of Tamil Nadu Hindu Religious Charitable Endowments Act 1959 and remove the encroachments made by the Respondent no.7 Kuchipalayam Village Panchayat and consequently direct the Respondent No.2 to forbear the respondent no.7 from dumping of Garbage and Animal Waste in the Temple lands of ArulmiguVangalRavishwaraSwamy Temple in S.No. 569 Vangal Village, ManmangalamTaluk, Karur District by considering the Petitioners Representation dated 03.03.2025.

For Petitioner : M/s.Roy and Roy Associates

For Respondents : Mr.K.S.Selvaganesan

Additional Government Pleader
for R1 to R6

Mr.G.Suryaananth

Additional Government Pleader for R7



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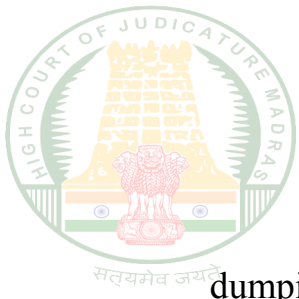
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ORDER

This writ petition has been filed seeking a direction to respondents 1 to 6 to initiate appropriate action under Section 78 of the Tamil Nadu Hindu Religious Charitable Endowments Act, 1959 and remove the encroachments made by the seventh respondent at Kuchipalayam Village Panchayat. Consequently, the petition seeks a direction to the second respondent to prevent the seventh respondent from dumping garbage and animal waste on the temple lands of Arulmigu Vangal Ravishwara Swamy Temple, situated in S.No. 569, Vangal Village, Manmangalam Taluk, Karur District, by considering the petitioner's representation dated 03.03.2025.

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.

3. The petitioner claims to be a devotee of the temple mentioned in the petition. The petitioner's grievance is that the seventh respondent Panchayat has encroached upon the temple lands and is



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dumping garbage and animal waste on the said land, creating unhygienic conditions in and around the area. In this regard, the petitioner submitted a representation to the official respondents on 03.03.2025, requesting them to address the issue. 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 first respondent to consider the representation dated 03.03.2025 on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all



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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 first respondent to consider the same on its own merits.

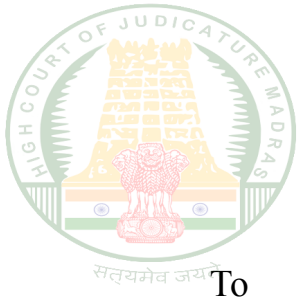
6. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

19.03.2025

Index : Yes / No

Internet : Yes / No

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To

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1. The Commissioner,
Hindu Religious and Charitable
Endowments Department,
No. 119, Uthamar Ganthi Road,
Nungampakkam,
Chennai - 600034.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Trichy - 05.

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



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VIVEK KUMAR SINGH, J.

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