



W.P.(MD)No.8937 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8937 of 2025

V.Balamurugan

: Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Ellis Nagar,
Madurai.

2. The Executive Officer,
Hindu Religious and Charitable
Endowment Department,
Arulmigu Muniyandiswamy Temple,
Aalaganallur,
Madurai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondent to permit the petitioner for follow the customary practice for Arulmighu Sri Muniyandswamy, Arulmigu Kaliamman, Arulmigu Muthalamman and also other Parivara Deivam situated at Aalanganallur Village, Vadipatti Taluk, Madurai District and other related activities of the temple in accordance with law by considering petitioner's representation dated 11.02.2025.



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For Petitioner : Mr.M.Beema Rao

For Respondents : Mr.K.S.Selvaganesan

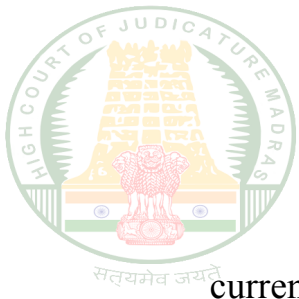
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents to permit the petitioner to follow the customary practice for Arulmghu Sri Muniyandswamy, Arulmigu Kaliamman, Arulmigu Muthalamman and also other Parivara Deivam situated at Aalanganallur Village, Vadipatti Taluk, Madurai District and other related activities of the temple in accordance with law, by considering his representation dated 11.02.2025.

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 claims that due to the interference of certain third parties, the rituals traditionally conducted by the petitioner during the Panguni Festival were halted and the upcoming festival for the



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current year is scheduled on 08.04.2025. In this regard, the petitioner submitted a representation dated 11.02.2025 to the respondents, seeking permission to continue the customary practices at the temple. However, as no action was taken on the representation, the petitioner has now filed the present Writ Petition.

4.The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the respondents to consider the representation of the petitioner dated 11.02.2025 and pass appropriate orders, before the Panguni Festival scheduled to be held on 08.04.2025.

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 respondents to consider the petitioner's representation dated 11.02.2025, 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, before the commencement of the Panguni Festival, which is scheduled on 08.04.2025. 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 respondents 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.

02.04.2025

Index : Yes / No

Internet : Yes / No

PKN

Note: Issue order copy today.



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To

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VIVEK KUMAR SINGH, J.

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