



W.P.(MD).No.9496 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9496 of 2025

S.Ravichandran

... Petitioner

-vs-

1. The Principal Secretary to Government of Tamilnadu,
Department of Tourism, Culture and Religious Department,
St. George Fort,
Chennai 600 009.

2. The Commissioner,
Hindu Religious and Charitable and Endowments Department,
No. 119, Uthamar Gandhi Salai,
Chennai 600 034.

3. The Joint Commissioner / Executive Officer,
Arulmigu Dhandayuthapani Swamy Temple,
Palani 624 601,
Dindigul District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's application dated 22.11.2024 for appointment of Non Hereditary Trustee either in the Arulmigu Thandayuthapani Swamy Temple, Palani or in the Arulmigu Kuzhandai Velappar Temple, Poombarai, and pass appropriate orders within the time frame fixed by this Court.



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For Petitioner : Mr.G.Muthukrishnan
For Respondents : Mr.K.S.Selva Ganesan (R1 & R2)
Additional Government Pleader
Mr.R.Murali (R3)

ORDER

This writ petition has been filed seeking a direction to the respondents 1 to 3 to consider the petitioner's application dated 22.11.2024 for appointment of Non Hereditary Trustee either in the Arulmigu Thandayuthapani Swamy Temple, Palani or in the Arulmigu Kuzhandai Velappar Temple, Poombarai.

2. Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner made an application on 22.11.2024 for appointment of non-hereditary trustee. However, the same has not been considered and hence, this writ petition has been filed.



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4. It is needless to point out that whenever a representation / application 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 and also considering the facts and circumstances of this case, there shall be a direction to the petitioner to make a fresh representation to the second respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the second respondent is directed to consider the same 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 six weeks thereafter. 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.



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6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

04.04.2025

NCC : Yes/No
Index : Yes / No
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TO:-

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VIVEK KUMAR SINGH, J.

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Order made in
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