



W.P.(MD)No.10877 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.10877 of 2025

Shri Sivakarayogi Swami Madam,
Shri Suriyanarkovil Aadheenam,
Rep. by its Adheenakartha,
Shri-La-Shri Mahalinga Panadara Sanithi,
Suriyanarkovil,
Thiruvudaimaruthur Taluk, Thanjavur District.

... Petitioner

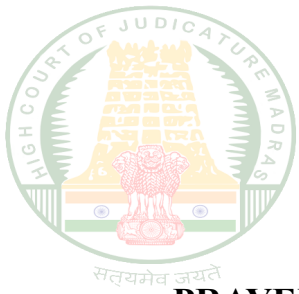
-VS-

1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Utamar Gandhi Road,
Nungambakkam, Chennai.

2.The Assistant Commissioner,
O/o. the Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
1, Aayikualam Road, Kumbakonam,
Thanjavur District.

3.The Executive Officer,
O/o. the Executive Officer,
Sri Patteswara Swami Kovil,
Patteswaram Post, Kumbakonam,
Thanjavur District.

... Respondents



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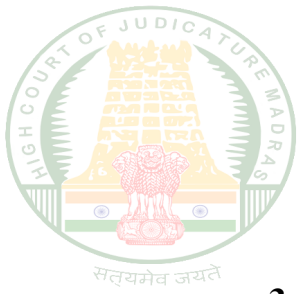
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to direct the third respondent to hand over the key of Shri Sivakarayogi Swami Madam, Shri Suriyanar Kovil Aadheenam, situated at Suriyanarkovil, Thiruvudaimaruthur Taluk, Thanjavur District, to the petitioner by considering the petitioner's representation dated 13.03.2025, within the time stipulated by this Court.

For Petitioner	:	Mr.P.Vetrivel
For R1 and R2	:	Mr.K.S.Selva Ganesan Additional Government Pleader
For R3	:	Mr.V.Chandrasekar

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to direct the third respondent to hand over the key of Shri Sivakarayogi Swami Madam, Shri Suriyanar Kovil Aadheenam, situated at Suriyanarkovil, Thiruvudaimaruthur Taluk, Thanjavur District, to the petitioner, by considering the petitioner's representation dated 13.03.2025.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.



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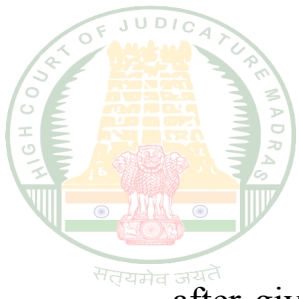
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3. Seeking restoration of his custodial rights and return of the Aadheenam keys, the petitioner submitted a representation dated 13.03.2025 to the first respondent. As the said representation has not been considered till date, the petitioner has filed 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 stipulated time.

6. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 13.03.2025, on its own merits and pass appropriate orders in accordance with law,



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after giving due opportunity to the petitioner as well as to the third respondent, within a period of six 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.

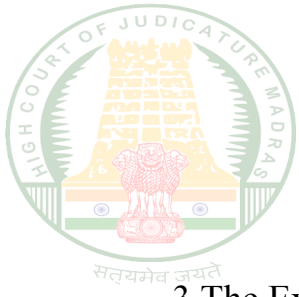
7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

22.04.2025

To:-

- 1.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Utamar Gandhi Road,
Nungambakkam, Chennai.
- 2.The Assistant Commissioner,
O/o. the Assistant Commissioner,
Hindu Religious and Charitable Endowments Department,
1, Aayikualam Road, Kumbakonam,
Thanjavur District.



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3. The Executive Officer,
O/o. the Executive Officer,
Sri Patteswara Swami Kovil,
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VIVEK KUMAR SINGH, J.

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