

W.P.(MD)No.10857 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.10857 of 2025

K.G.Krishnan

: Petitioner

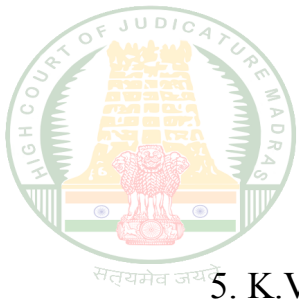
Vs.

1. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Numgambakkam,
Chennai 600 006.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Tuticorin.

3. The Inspector,
Hindu Religious and Charitable
Endowment Department,
Puliyangudi,
Turicorin District.

4. The Executive Officer,
Hindu Religious and Charitable
Endowment Department,
Arulmigu Soliyabramana Annadhana Chathiram Trust,
Kadayanallur, Tenkasi District.



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5. K.V.Sankarasubramanian,
Trustee,
Arulmigu Soliyabramana
Annadhana Chathiram Trust,
Kariyamanickaperumal Kovil Street,
Kadayanallur
Tenkasi District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the Respondent No.1 to 3 to take immediate action for the renovation of Soliyabramana Annadhana Chathiram situated at Kadayanallur, Tenkasi District, beside taking action against the Respondents No.4 and 5 for their mismanagement and maladministration of the Trust and the Trust Properties within a time frame as fixed by this Honble Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.K.S.Selvaganesan

Addl. Government Pleader for R1 to R3

Mr.S.Manohar for R4

ORDER

The petitioner has filed this Writ Petition seeking a mandamus, directing the respondents 1 to 3 to take immediate action for the renovation of the Soliyabramana Annadhana Chathiram, situated at Kadayanallur, Tenkasi District and to initiate appropriate proceedings



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against the respondents 4 and 5 for their alleged mismanagement and maladministration of the Trust and its properties, within a time frame.

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. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the fifth respondent is dispensed with.

3. Alleging that the fourth respondent, along with the fifth respondent, has mismanaged the Trust properties and failed to take any steps for the renovation of the Annadhana Chathiram, which is currently in a dilapidated condition, the petitioner submitted a detailed representation to the first respondent. Pursuant to this, the first respondent, vide communication dated 21.10.2024, directed the second respondent to take immediate action based on the said representation. However, no action has been taken by the second respondent. Aggrieved by the inaction, the petitioner has approached this Court by filing the present writ petition.



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4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the second respondent to consider the representation of the petitioner, in accordance with the communication dated 21.10.2024 and pass appropriate orders, within a time frame that may be stipulated by this court.

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 the 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 second respondent herein to consider the petitioner's representation dated 20.05.2024 in accordance with the communication of the first respondent dated 21.10.2024, on its own merits and pass



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appropriate orders in accordance with law, after giving due opportunity to the petitioner and the fifth respondent herein, as well as all 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 second respondent to consider the same on its own merits.

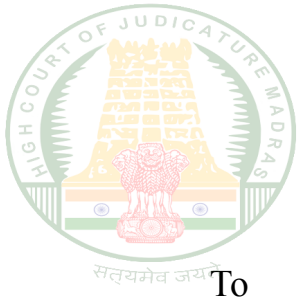
7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

21.04.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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