



W.P.(MD).No.23144 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.23144 of 2023

and

W.M.P.(MD).No.19336 of 2023

Madathipathi,
Pulipani Ashramam,
Sivanandha Pulipani Pathira Swamigal,
S/o. Palaniappa Pulipani Pathira Swamigal,
Pulipani Ashramam,
North Giri Veedhi, Adivaram,
Palani.

... Petitioner

Vs.

1.The Joint Commissioner /
Executive Officer,
Arulmigu Dhandayuthapaniswami
Devasthanam, Palani.

2.The Chairman,
Arulmigu Dhandayuthapaniswami
Devasthanam, Palani.

3.The Joint Commissioner,
Hindu Religious and Charitable
Endowments, Dindigul.

... Respondents



W.P.(MD).No.23144 of 2023

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents herein to conduct the Navarathiri Urchava Vila [dasara festival] in Palani Arulmighu Dandayuthapani swamigal temple, from 15/10/2023 to 24/10/2023 and thereafter, by upholding sampradhaya and by strict observance of all religious practices, in an usual manner, followed from time immemorial, by preserving the petitioner's right of performance of the same and petitioner's entitlement to honour during the same.

For Petitioner : Mr.V.Raghavachari,
Senior Counsel
For K.Vignesh Kumar

For Respondents : Mr.R.Bharanitharan,
Standing Counsel
For R-1 & R-2

Mr.R.Baskaran,
Additional Advocate General
For R-3

ORDER

This Writ Petition is filed for Writ of Mandamus, directing the respondents to conduct the Navarathiri Urchava Vila [dasara festival] in Palani Arulmighu Dandayuthapani Swamigal Temple, from 15.10.2023 to 24.10.2023 and thereafter, by upholding sampradhaya and by strict observance of all religious practices, in an usual manner, followed from time immemorial, by preserving the petitioner's right.



W.P.(MD).No.23144 of 2023

2. The petitioner is a Madathipathi of Pulipani Ashramam. The contention of the petitioner is that the “Ambu Viduthal” festival is performed by Pulipani Ashramam followed by parivattam to the petitioner is being performed on the Vijaya Dasami Day from time immemorial. This is evident from the Copper Plate [seppu pattayam] granted by Dalavoi Ramappa Ayyan, the Lieutenant of the Great Ruler Thirumala Naicker. This is also recognized by the HR & CE Department.

3. Every year, there will be a letter from the temple granting permission to the officials of the HR&CE to provide the list of materials for the performance of the Ambu Viduthal Festival followed by parivattam. The religious practice of Navarathiri Urchava Vila is scheduled to be conducted from 15.10.2023 to 24.10.2023, but until now the respondents have not issued any such letter directing to provide the list of materials. The further contention of the petitioner is that the respondents would grant permission before one month itself, so that, the petitioner would be able to prepare for the said festival. The petitioner is apprehending that this year, there may be some delay. Hence, the petitioner submitted written representations dated 14.09.2023 and 15.09.2023 for granting necessary materials, but the respondents have not responded to the petitioner's representation. Hence, the petitioner is before this Court.



W.P.(MD).No.23144 of 2023

4. The learned Additional Advocate General appearing for the third respondent has submitted that the present writ petition is filed based on the mere apprehension. Last year, the petitioner was provided with all materials and the festival of Ambu Viduthal followed by parivattam was celebrated which is evident from the photograph enclosed in the petitioner's typed set of papers at page number 52. The respondent is not having any intention to restrain the petitioner from participating in Ambu Viduthal festival followed by parivattam. Therefore, the respondents submitted that the petitioner would be allowed to participate in the Ambu Viduthal festival followed by parivattam in similar way which was allowed last year.

5. Recording the said submission of the Learned Additional Advocate General, the respondents are directed to allow the petitioner to participate in the Ambu Viduthal festival followed by parivattam in similar way which was followed in all these years without any deviation.

6. With these observations and directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

21.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Sml



W.P.(MD).No.23144 of 2023

To

- 1.The Joint Commissioner /
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- 2.The Chairman,
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W.P.(MD).No.23144 of 2023

S.SRIMATHY, J.

Sml

W.P.(MD).No.23144 of 2023

21.09.2023