

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.04.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10858 of 2015
and M.P.No.1 of 2015

Tamilsurian

.. Petitioner

Versus

1. The District Collector,
Ariyalur District
Ariyalur.

2. The Superintendent of Police,
Ariyalur District,
District Head Quarters, Ariyalur

3. The Inspector of Police,
Kelapalavoor Police Station,
Kelapalavoor, Ariyalur District

4. The Elainar Narpani Mandram,
Rep. by its President,
Anna Nagar, Colony Street,
Vetriyur, Ariyalur District.

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents 1 to 3 to consider petitioner's representation dated 06.04.2015 and to take necessary and suitable action against the 4th respondent enabling petitioners family and to take part in the Mariamman Koil Festival at Vetriyur Village, Ariyalur District on 14th, 15th and 16th day of April 2015 with adequate police protection.

For Petitioner : Mr.G.Ramakrishnan

For Respondents : Mr.Roofus Abraham (for R1 to R3)
Government Advocate

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner claims that he is a permanent resident of Vetriyur Village and his forefathers lived in the village for decades and there are 74 families residing in the said village and the petitioner would further state that in the year 2003, Marriyamman temple was built up and in the same year Kumbaabishakam was conducted and petitioner also claims that right from the days of his forefathers, some special privileges were given to his family.

3. According to the petitioner every year in the month of April three days festival are conducted in the said temple on 14th, 15th and 16th day and the 4th respondent, who has nothing to do with the affairs of the temple, is preventing the petitioner and his family from participating in the celebration and also denying him the special privileges that were accorded to his family for a quite number of years and in this regard, he has given a complaint to the Inspector of Police, Kelapalavoor Police Station, Kelapalavoor, Ariyalur District on 06.04.2015 and since he has not been favoured with any response, came forward to file this writ petition.

4. Heard the submissions of Mr.G.Ramakrishnan, learned counsel appearing for the petitioner, who would submit that since the privilege has been enjoyed by the petitioner's family for a quite long time and that it has been prevented by the 4th respondent, appropriate direction may be given to the 3rd respondent, to give adequate police protection, so as to enable him to attend the temple festival and get special privileges.

5. On the said submissions, this Court heard Mr.Roofus Abraham, learned Government Advocate, who accepts notice for respondents 1 to 3 and would submit that perusal of the typed set of documents would disclose that though the petitioner has stated that he has given a complaint dated 06.04.2015 to the Inspector of Police, Kelapalavoor Police Station, Kelapalavoor, Ariyalur District, the 3rd respondent, no acknowledgment is enclosed and that apart, celebration of the temple festival has already commenced and today is the last day.

6. In the light of the above facts and circumstances, this Court is of the view that it would suffice to permit the petitioner to submit one more complaint/representation to the 3rd respondent and on receipt of the same, direct the 3rd respondent to consider the same in accordance with law, within a stipulated time.

7. In the result, this writ petition is disposed of granting liberty to the petitioner to submit one more complaint/representation to the 3rd 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 3rd respondent is directed to consider and dispose of the complaint/representation on merits and in accordance with law, as expeditiously as possible and not later than four weeks, thereafter, and inform the result of the enquiry conducted by him on the basis of the said complaint/representation to the petitioner, after putting on notice the 4th respondent. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

1. The District Collector,
Ariyalur District
Ariyalur.

2. The Superintendent of Police,
Ariyalur District,
District Head Quarters, Ariyalur

3. The Inspector of Police,
Kelapalavoor Police Station,
Kelapalavoor, Ariyalur District

1 CC to the Government Pleader SR NO 21082

+1cc to Mr.G.Ramakrishnan,Advocate SR.No.20944

W.P.No.10858 of 2015

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gp/27.04.2015