

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.18043 of 2015

Unathur Arulmigu Vinayagar Mariyamman
Kambaperumal, Iyyanar, Maniyamman
Thirukoilgal Nala Munnetra Sangam,
Represented by its President
S.Palani Muthu ... Petitioner

Vs.

- 1 The Revenue Divisional Officer
Attur Salem District
- 2 The Thasildar
Attur Taluk Salem District
- 3 The Superintendent of Police
Salem District Salem.
- 4 The Deputy Superintendent of
Police Attur Salem District.
- 5 The Inspector of Police
Thalaivasal Police Station Salem District.
... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 1st and 2nd respondent to instruct the 3rd to 5th respondents to provide adequate Police Protection to the Car Festival of Arulmigu Vinayagar Mariyamman Kambaperumal Iyyanar Maniyamman @ Pidariamman Thirukoilgal situated in Village namely Unathur, Attur Taluk, Salem District to be conducted from 26.06.2015 to 03.07.2015.

For Petitioner : Mr.M.Rajendiran

For Respondents : Mr.V.Subbiah
Special Government Pleader

O R D E R

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

2.The petitioner would state that the Temples namely, Arulmigu Vinayagar Mariyamman Kambaperumal Iyyanar Maniyamman @ Pidariamman Thirukoilgal are situated in Unathur, Attur Taluk, Salem District and the said Temples are coming under the control of Hindu Religious and Charitable Endowments Department (HR & CE). Petitioner would further state that their Association was established in the year 2010 for the welfare of the above said Temples and to protect the properties of the Temple and all the members of the Association belong to a particular community.

3.The petitioner Association would claim that they have collected and spent huge amount for putting up additional constructions in the above said Temples and also renovated Temple Cars "Vahanas" by spending huge amount. The Association took a decision to conduct festival relating to the above said Temples and in the interregnum a fit person came to be appointed by the Hindu Religious and Charitable Endowments Department and in this regard a suit in O.S.No.130 of 2015 was filed on the file of the District Munsif Court, Attur for permanent injunction restraining the fit person from interfering with their peaceful possession and management of the said Temples. They also obtained ad interim injunction in I.A.No.714 of 2015 in the said suit.

4.The apprehension expressed by the petitioner is that the other group belonging to the same community, started interfering with the affairs of the Temples for extraneous reasons and in this regard, they submitted a representation dated 17.06.2015 to the respondents 1 and 3 to 5 praying for adequate police protection and since no response is forthcoming, came forward to file this writ petition.

5.The learned counsel appearing for the petitioner would submit that the festival is going to be conducted between 26.06.2015 and 03.07.2015 and therefore appropriate orders may be passed directing the respondents 3 to 5 to provide adequate police protection and prays for appropriate orders.

6.This Court heard the submissions of Mr.M.Rajendiran, learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the respondents.

7.The learned Special Government Pleader would submit that the representation submitted by the petitioner may be directed to be disposed of.

8.Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances of the case and without

going into the merits of the claim projected by the petitioner in this writ petition, directs the respondents 4 and 5 to consider and dispose of the petitioner's representation dated 17.06.2015 in accordance with law and inform the decision taken, to the petitioner on or before 26.06.2015.

9.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

pri

To

- 1 The Revenue Divisional Officer
Attur Salem District
- 2 The Thasildar
Attur Taluk Salem District
- 3 The Superintendent of Police
Salem District Salem.
- 4 The Deputy Superintendent of
Police Attur Salem District.
- 5 The Inspector of Police
Thalaivasal Police Station Salem District.

1 cc to Mr.M.Rajendiran, Advocate, Sr. 31246
1 cc to Government Pleader, Sr. 31302

W.P.No.18043 of 2015

SV (CO)
kk 30/6

WEB COPY