

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.8637 of 2015

Sampathraagavan

...Petitioner

Versus

1. The Commissioner,  
The Hindu Religious and Charitable  
Endowments Department,  
119, Uthamar Gandhi Salai  
Nungambakkam, Chennai 600 034.

2. The Assistant Commissioner,  
The Hindu Religious and Charitable  
Endowments Department,  
Olakkur Taluk Villupuram District.

3. Seshathri

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the respondents 1 and 2 to permit the petitioner to perform the Chiththirai Utsavam festival on 14.04.2015 at Olakkur Sri Sundharavaradha Raja Perumal tempel, Olakkur, Villupuram District and harmony in the village as per the practice and custom that has been in vogue for many decades.

For Petitioner : Mr.M.Senthamizh Selvan

For RR 1 and 2 : Mr.M.L.Mahendran, GA

ORDER

Heard Mr.M.Senthamizh Selvan, learned counsel appearing for the petitioner and Mr.M.L.Mahendran, learned Government Advocate accepting notice for the respondents 1 and 2 and with their consent, the writ petition itself is disposed of at the admission stage itself.

2.Since the writ petition is disposed of at the admission stage, the notice to the 3<sup>rd</sup> respondent is dispensed with.

3.The petitioner has filed this writ petition seeking for a direction to the respondents 1 and 2 to perform the Chiththirai festival on 14.04.2015 at Olakkur Sri Sundharavaradharaja Perumal temple, Olakkur, Villupuram District. In this regard a representation has been given by the petitioner to the 1<sup>st</sup> respondent on 03.03.2015, followed by a reminder on 23.03.2015, copies of which have been sent to the 2<sup>nd</sup> respondent.

4.The petitioner has certain grievances as against the 3<sup>rd</sup> respondent. There is also an allegation that the 2<sup>nd</sup> respondent has colluded with the 3<sup>rd</sup> respondent. Since the writ petition is disposed of at the admission stage, the allegations made by the petitioner as against the respondents 2 and 3 are not gone into.

5.However, since the petitioner seeks for celebration of a festival, the Joint Commissioner, HR&CE, Villupuram District, is directed to call for a report from the 2<sup>nd</sup> respondent as regards the exact state of affairs and if there is any problem for celebrating the festival, then the Joint Commissioner, HR&CE Department, Villupuram District, shall issue appropriate direction to the 2<sup>nd</sup> respondent for being implemented. It is made clear that this direction is issued without going into the allegation made by the petitioner against the 3<sup>rd</sup> respondent or the officials of the Department and it has been issued to ensure that the festival is conducted in a peaceful manner and all the villagers participate in the festival. The Joint Commissioner is directed to take note of the above directions and act in accordance with law on or before 10.04.2015, since the festival is said to be scheduled to be held on 14.04.2015.

6.The writ petition is disposed of with the above direction. No costs.

7.Since the Joint Commissioner, HR&CE Department, Villupuram District, is not a party in this writ petition, the Registry is directed to mark a copy of this order to the Joint Commissioner.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

1. The Commissioner,  
The Hindu Religious and Charitable  
Endowments Department,  
119, Uthamar Gandhi Salai  
Nungambakkam, Chennai 600 034.
2. The Assistant Commissioner,  
The Hindu Religious and Charitable  
Endowments Department,  
Olakkur Taluk Villupuram District.

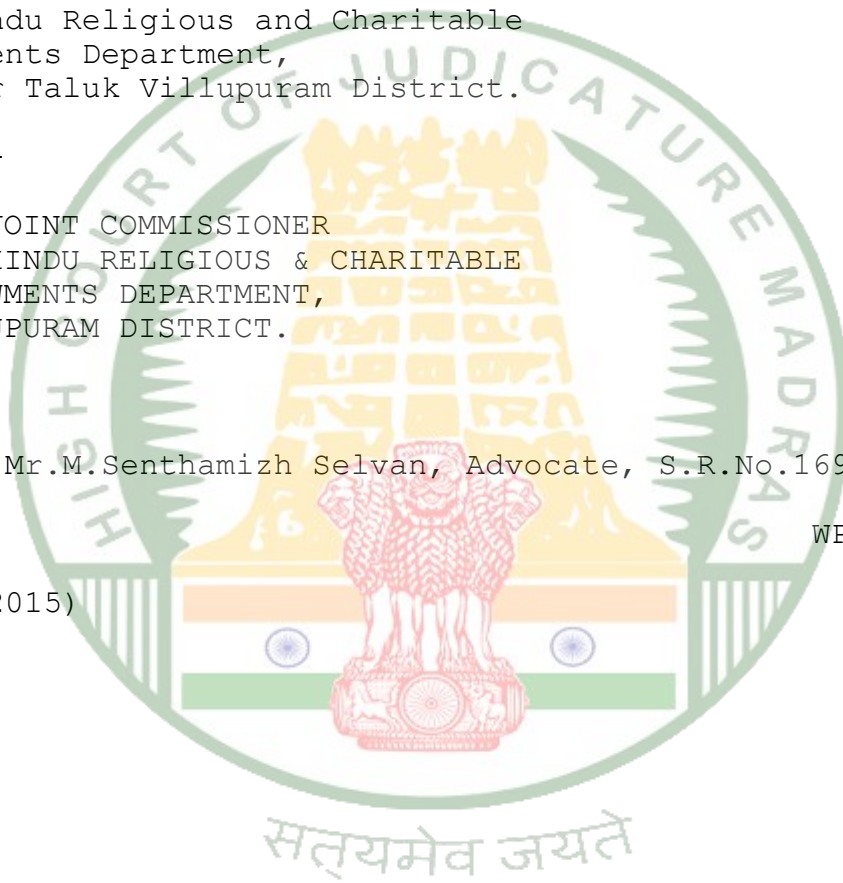
Copy to :-

THE JOINT COMMISSIONER  
THE HINDU RELIGIOUS & CHARITABLE  
ENDOWMENTS DEPARTMENT,  
VILLUPURAM DISTRICT.

+2cc's to Mr.M.Senthamizh Selvan, Advocate, S.R.No.16954

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CA(27/03/2015)



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