

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.4.2015

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.9524 of 2015

Dhandapani

...Petitioner

Versus

1. The District Collector
Cuddalore District, Cuddalore

2. The Superintendent of Police
Cuddalore District, Cuddalore

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for the issuance of a writ of mandamus directing the respondents to consider the petitioner's representations dated 25.2.2015 and 10.3.2015 to hold a detailed enquiry and initiate proceedings for smooth functioning of TEEMIDHI VIZHA of Sri Balathandayuthapaniswami Temple comprised in Survey No.111/11 of Semakottai Vaiyapuri Pattinam Village, Semakkottai Post, Panruti Taluk, Cuddalore District to be performed on 03.4.2015 in a peaceful manner by way of giving police protection.

For Petitioner : Mr.P.Ayyaswamy

For Respondents : Mr.S.Gunasekaran,
Government Advocate

O R D E R

The writ petition has been filed seeking for issuance of mandamus directing the respondents to consider the petitioner's representations dated 25.2.2015 and 10.3.2015 to hold a detailed enquiry and initiate proceedings for smooth functioning of TEEMIDHI VIZHA of Sri Balathandayuthapaniswami Temple comprised in Survey No.111/11 of Semakottai Vaiyapuri Pattinam Village, Semakkottai Post, Panruti Taluk, Cuddalore District to be performed on 03.4.2015 in a peaceful manner by way of giving police protection.

2. The petitioner contended that TEEMIDHI VIZHA has been performed for more than four decades in the above temple. According to the petitioner, he made representations to the respondents seeking for necessary police protection to conduct THEEMIDHI VIZHA, which is scheduled to be held on 03.4.2015.

3. The respondent Government submitted that a Peace Committee Meeting was conducted in which though some of the parties have agreed before the Tahsildar that THEEMIDHI VIZHA can be conducted in a common place, the petitioner was not agreeable for the same and he reiterated that THEEMIDHI VIZHA should be conducted in the same place and it should not be altered.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents.

5. Admittedly, the petitioner has made representations before the respondents requesting them to give necessary protection to conduct THEEMIDHI VIZHA. Even if this Court directs the respondents to consider the representations made by the petitioners, before the same is considered by them, the period would expire. Therefore, in the interest of justice, the petitioner is directed to accept the common place identified by the Tahsildar in the Peace Committee Meeting, reserving his right to raise objection, if any.

6. Therefore, in order to give quietus to the matter, the petitioner shall conduct the TEEMIDHI VIZHA in the common place identified by the Tahsildar on 03.4.2015. However, it is made clear that this does not mean that the rights of the parties have been given up with regard to the contention that it should be conducted in a particular place and not in a common place and also on the question of jurisdiction of the Tahsildar.

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

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ga

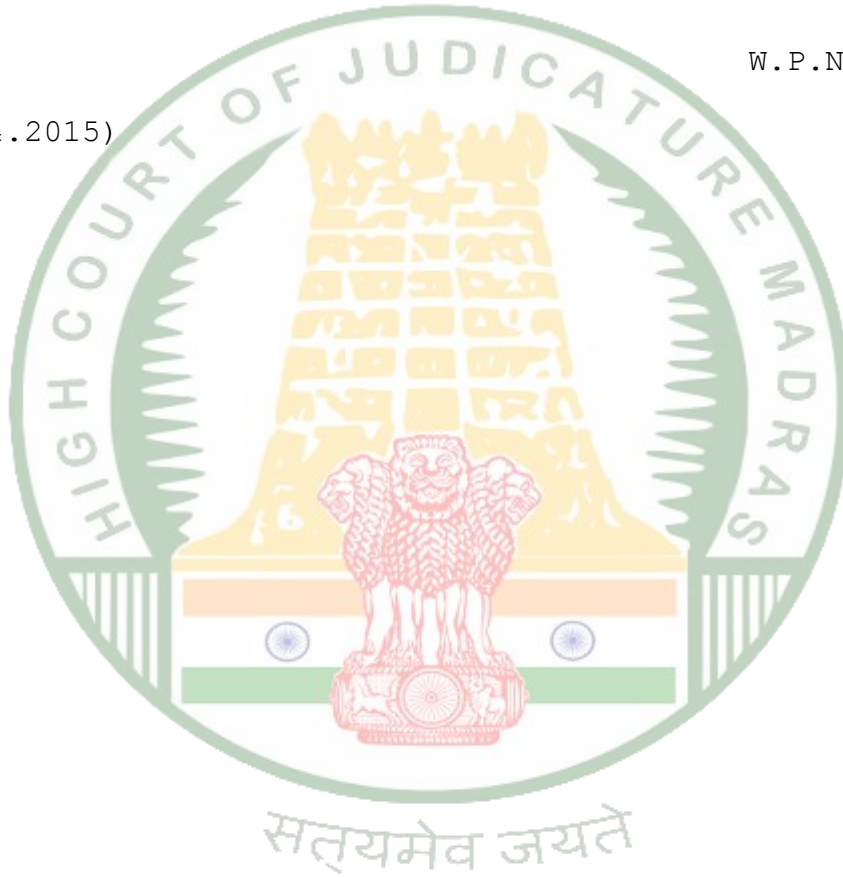
To

1. The District Collector
Cuddalore District, Cuddalore
2. The Superintendent of Police
Cuddalore District, Cuddalore

1 CC to Mr.P.Ayyaswamy, Advocate SR.No. 18656

W.P.No.9524 of 2015

PSI (01.04.2015)



WEB COPY