

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE R.MAHADEVAN

W.P.No.2354 of 2014

N.Rajendran

.. Petitioner

-vs-

1.State of Tamil Nadu,
rep. by its Secretary,
Forest Department,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Villupuram District,
Villupuram.

3.The Chief Forest Conservative Officer,
Forest Department,
Panagal Maligai, Saidapet,
Chennai-600 015.

4.The District Forest Officer,
Villupuram Forest Zone,
Villupuram District,
Villupuram.

5.The Forest Ranger Officer,
Gingee & Taluk,
Villupuram District.

6.The Forester,
Gingee & Taluk,
Villupuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents, particularly direct the respondents 1 to 4 to take necessary action to remove the obstructions made by the respondents 5 and 6 and made arrangements to worship the temple of "Arulmigu Mannar Samy Sametha Sri Pachaiaamman Thirukovil"

permanently, situated at Melacheri Village, Gingee Taluk, Villupuram District on the basis of representation dated 11.11.2013.

For Petitioner : Mr.R.Thanjan

For Respondents : Mr.M.K.Subramanian
Spl. G.P. (Forest) for R1
Mr.V.Shanmugasundar
Govt. Advocate for R2 to R6

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The dispute pertaining to the right of way to the temple of Arulmigu Mannar Samy Sametha Sri Pachaiaimman Thirukovil, Melacheri Village, forming part of the subject matter of the present writ petition, was discussed in the Peace Committee Meeting held on 18.07.2013 and it was resolved to allow the vehicles carrying the utensils to the temple for cooking through the Reserve Forest area. This is stated to be in terms of the orders passed in W.P.No.19235 of 2014, dated 22.07.2014. The relevant portion of the order reads as under:-

"7. In view of the above, what was agreed between the parties last year in the Peace Committee will apply for this year also. It is also made clear that the officials, petitioner as well as the devotees are directed to abide by the decision arrived in the Peace Committee meeting and accordingly, only on Fridays during the Tamil month of Aadi, i.e. upto 15.08.214, the devotees are permitted to take vehicles carrying utensils and other commodities to travel through the forest road. The aged people and children are also permitted to travel by taking vehicle to the temple."

There is stated to be no exclusive pathway to the temple and the pilgrims are requested to use the existing right of way of about 4 kms. There are stated to be now two pathways opened up in the Reserve Forest and necessary interest of the forest and wildlife is also taken care of.

2. In view of the aforesaid stand, we find no reason to issue any further direction.

3. The writ petition is dismissed. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Forest Department,
Fort St. George,
Chennai-600 009.
2. The District Collector,
Villupuram District,
Villupuram.
3. The Chief Forest Conservative Officer,
Forest Department,
Panagal Maligai, Saidapet,
Chennai-600 015.
4. The District Forest Officer,
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Villupuram.
5. The Forest Ranger Officer,
Gingee & Taluk,
Villupuram District.
6. The Forester,
Gingee & Taluk,
Villupuram District.

1 cc to Government Pleader, sr.35308

W.P.No.2354 of 2014

lrs co
kra 11.07.2016

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