

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

Writ Petition No.18818 of 2016

A.Mani

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sankagiri Division,
Sangagiri.

2.The Deputy Superintendent of Police,
Sankagiri,
Salem District.

3.Jaya Boopathy

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of mandamus directing the first respondent herein to consider petitioner representation dated 09.05.2016 and afford proper protection for conducting "Panchavarna Sampoorana Maha Yagam" at Arulmighu Ayyanarappan Temple at Goundampatty, Edappadi Post and Taluk, Salem District on 09.06.2016.

For Petitioner

: Mr.V.V.Sairam

For Respondents

: Mr.P.Sanjay Gandhi,
Additional Government Pleader

O R D E R

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

2. The learned counsel appearing for the petitioner would submit that the petitioner has filed O.S.No.501 of 2011 on the file of the Court of Principal District Munsif, Salem praying for declaration that he is the Poosari of Sri Ayyanarappan Temple, at Goundampatty, Edappadi Post and Taluk, Salem District and for

permanent injunction, restraining the defendants viz., Jaya Boopathy, S/o. Kandasamy Gounder, P.Subramani, S/o. Perumal, A.Ramachandran, S/o.Ayyanna Gounder and Anbarasan, S/o. Jaya Boopathy from interfering with his position as Poosari and the said suit, after contest, came to be decreed on 05.09.2013 and no appeal has been filed challenging the legality of the said decree and it has become final.

3. The grievance expressed by the petitioner is that in spite of the decree, the third respondent viz., Jaya Boopathy has published a notice stating that the religious ceremony (ahfk;) will be performed on 09.06.2016. The petitioner apprehends that the third respondent viz., Jaya Boopathy, was a party to the above suit, may interfere with the petitioner's right as Poosari and in this regard, has also submitted a representation dated 09.05.2016 to the first respondent and since no order has been passed, came forward to file this writ petition.

4. Heard the submissions of Mr.V.V.Sairam, learned counsel appearing for the petitioner and Mr.P.Sanjay Gandhi, learned Additional Government Pleader, who accepts notice on behalf of respondents 1 and 2.

5. Though the petitioner prays for the larger relief, this Court in the light of the above facts and circumstances, directs the first respondent to consider and dispose of the petitioner's representation dated 09.05.2016 in accordance with law on or before 07.06.2016, by affording an opportunity of personal hearing to the petitioner as well as to the third respondent and pass orders and communicate the decision taken, to the petitioner as well as to the third respondent.

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

vsm

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Revenue Divisional Officer,
Sankagiri Division, Sangagiri.

2.The Deputy Superintendent of Police,
Sankagiri, Salem District.

+ 1 cc to Mr.V.V.Sairam, Advocate SR 29538

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