

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20029 of 2016

E.N.Natarajan

... Petitioner

Vs.

1 The Commissioner,
Hindu Religious and Charitable
Endowment Administration Department,
Chennai.

2 The Joint Commissioner,
Hindu Religious and Charitable
Endowment Administration Department
Villupuram.

3 The Assistant Commissioner,
Hindu Religious and Charitable
Endowment Administration Department,
Villupuram.

4 The Executive Officer,
Arulmigu Chandramouleeswarar Temple,
Thiruvakkarai,
Vanur Taluk,
Villupuram District.

5 V.Rajakantham

6 V.Sukumar

7 Veeran @ Veeragavulu

8 The Superintendent of Police
Villupuram District,
Villupuram.

9 The Sub Inspector of Police,
Kedar Police Station,
Kedar,
Villupuram Taluk.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 4 to give protection to the petitioner for conducting the Annual Temple Festival of Arulmigu Sri Gangai Amman Pournami Festival on 19.6.2016 and 20.6.2016 and its related functions on the above said days including the taking in procession of Goddess Gangai Amman Utsavamoorthy in the streets Arumpulli Village, Villupuram Taluk.

For Petitioner : Mr.N.Suresh

For Respondents: Mr.K.V.Dhanapalan for R1 to R3
Additional Government Pleader
Mr.R.A.S.Senthilvel for R8 and R9
Additional Government Pleader

O R D E R

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

2.This is the third round of litigation and it prima facie appears that the petitioner as well as the private respondents 5 to 7 do not want to leave the Presiding Deity in peace.

3.The petitioner would state that in respect of conducting of the annual festival between 01.07.2015 and 02.07.2015, he has approached this Court in the form of writ petition in W.P.No.18376 of 2015, wherein, this Court has disposed of it, with certain directions and since it was not followed, contempt petition was filed in Contempt Petition No.2369 of 2015 and it was disposed of on 08.03.2016 by directing the Assistant Commissioner of HR & CE Department, Villupuram, to take necessary steps to install the removed idols and place the same in the concerned Temple as per Agamas. But, no steps have been taken till date.

4.It is the further submission of the learned counsel appearing for the petitioner that, the petitioner along with others intend to conduct a festival on 19.06.2016 and 20.06.2016 and however, the respondents/ HR & CE Department, is not inclined to permit them to conduct the festival and in this regard, has submitted a representation dated 02.06.2016 to the third respondent and others and since no orders have been passed, came forward to file this writ petition.

5.Per contra, Mr.K.V.Dhanapalan, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3 would submit that there are two warring groups and therefore, a constant decision has been taken not to permit either of the group to conduct festival which would also result in law and order problem.

6.Heard the submissions of the learned counsel appearing for the petitioner, Mr.K.V.Dhanapalan, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 3 and Mr.R.A.S.Senthilvel, learned Additional Government Pleader who accepts notice on behalf of the respondents 8 and 9.

7.Though the petitioner prays for a larger relief, this Court in the light of the facts and circumstances, directs the third respondent to consider the petitioner's representation dated 02.06.2016, on merits and in accordance with law and pass appropriate orders on or before 18.06.2016 and inform the decision taken, to the petitioner.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

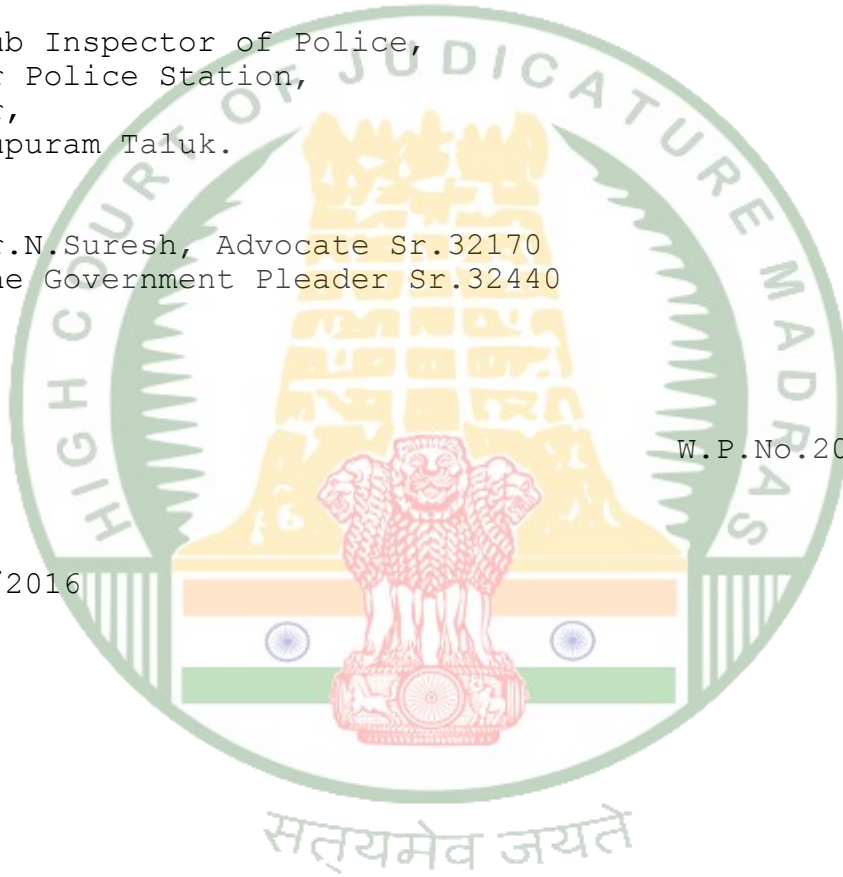
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- 5 The Superintendent of Police
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Kedar,
Villupuram Taluk.

+1cc to Mr.N.Suresh, Advocate Sr.32170
+1cc to the Government Pleader Sr.32440

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srg 06/07/2016



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