

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.26829 of 2016

V.Sambandam

... Petitioner

Vs.

1 The Joint Commissioner (HR&CE)
Kottai Mariamman Temple Campus,
Salem-1.

2 The Executive Officer,
Arulmigu Sri Mariamman Thirukoil,
Shevapet, Salem-2.

3 S.N.Pragadeeswaran

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent 1 and 2 to permit the Salem Nadar Community People presided and administered by the Chettithanam to perform 10th and 11th day Kattalai in Adi Festival of Shevapet Sri Mariamman Temple, Shevapet, Salem to be held on 09.08.2016, 10.08.2016 and 11.08.2016 as usual in accordance with the festival charter by considering the representation of the petitioner herein dated 24.06.2016.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.R.Govindasamy for R1 and R2
Special Government Pleader

O R D E R

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

2.The petitioner claims to be "Chettithanam" of Salem Nadar Community and according to him, Chettithanam's used to perform the 10th and 11th day Aadi Festival of Shevapet Sri Mariamman

Temple, Shevapet, Salem. He would further state that the third respondent along with five others had filed a suit in O.S.No.615 of 2015 on the file of the Court of Principal District Munisif against the petitioner and six others, praying for the relief of declaration and other consequential reliefs, in respect of conducting of the above said festival and according to the petitioner, no interim order is in subsistence.

3.The petitioner in the month of Aadi wants to conduct the 10th and 11th day Festival and in this regard, has submitted a representation dated 24.06.2016 to the respondents 1 and 2 and though, it was received and acknowledged, no orders have been passed and hence, came forward to file this writ petition.

4.Mr.R.Nalliyappan, learned counsel appearing for the petitioner would submit that since no interim order is in operation in the above stated civil proceedings, there cannot be any impediment on the part of the respondents 1 and 2 to consider the representation of the petitioner favourably and prays for appropriate orders.

5.Per contra, Mr.R.Govindasamy, learned Special Government Pleader who accepts notice on behalf of the respondents 1 and 2 would submit that the second respondent has convened a joint meeting on 25.07.2016 with regard to the conducting of 10th and 11th day Aadi Festival, wherein the petitioner as well as the third respondent had participated and on account of the difference of opinion, there was no decision on that date.

6.This Court has carefully considered the rival submissions and also perused the materials placed before it.

7.Though the petitioner prayed for a larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the second respondent to consider and dispose of the petitioner's representation dated 24.06.2016, in accordance with law and after putting on notice the third respondent, pass orders, as expeditiously as possible and communicate the decision taken, to the petitioner as well as to the third respondent on or before 07.08.2016.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

- 1 The Joint Commissioner (HR&CE)
Kottai Mariamman Temple Campus,
Salem-1.
- 2 The Executive Officer,
Arulmigu Sri Mariamman Thirukoil,
Shevapet, Salem-2.

+1CC Mr.R.Nalliappan, Advocate Sr.43747
+1cc to the Government Pleader Sr.43802

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srg 03/08/2016



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