

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.12.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.42785 of 2016

K.Ramasamy

.. Petitioner

Versus

- 1.The Superintendent of Police,
Tiruppur District,
Tiruppur.
- 2.The Inspector of Police,
Mulanur Police Station,
Tiruppur District.
- 3.The Revenue Divisional Office,
Tiruppur District,
Tiruppur.
- 4.K.Duraisamy

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to give permission and police protection to offer prayers on Karthigai Deepam i.e. 13.12.2016 in "Velankattu Karrupunasamy temple and Meenakshi Amman Temple of Dharapuram Taluk" in view of the petitioner's representation dated 09.11.2016.

For Petitioner : Mr.M.Guruprasad

For R1 to R3 : Mr. C. Manishankar

Additional Advocate General
Asst. by Mr.A.Kumar,
Special Govt. Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, directing the respondents 1 to 3 to give permission and police protection to offer prayers on Karthigai Deepam i.e. 13.12.2016 in "Velankattu Karrupunasamy temple and Meenakshi Amman Temple of Dharapuram Taluk" on the basis of the petitioner's representation dated 09.11.2016.

2. The learned counsel for the petitioner would contend that the fourth respondent herein was temporarily maintaining

the accounts pertaining to the two temples. In this context, there was a dispute between the petitioner and the fourth respondent. In connection with such dispute, the petitioner has given a complaint dated 11.05.2016 to the second respondent police against the fourth respondent based on which the dispute was referred to the third respondent herein for resolution of the dispute. When such dispute was pending before the third respondent, the second respondent, in collusion with the fourth respondent, has locked the temple without any vested right to do so, with the result, no one could offer prayers to the deity. Thereafter, on 24.10.2016, the second respondent conducted an enquiry and a compromise reached between the parties. However, the fourth respondent is continuously interfering with the manner of worship by the petitioner and his community and once again locked the temple and retaining the key with him. According to the learned counsel for the petitioner, the petitioner along with their community people are intending to commemorate the ensuing Karthigai festival on 13.12.2016. However, the second respondent is preventing the petitioner from conducting any prayers or any rituals in the temple. In such circumstances, the petitioner has submitted a representation on 09.11.2016 praying to permit them to perform the religious rites in the temple on the eve of Karthikai Deepam festival on 13.12.2016, however, so far, no order has been passed.

3. The learned Additional Advocate General appearing for the respondents 1 to 3 would submit that the petitioner may be directed to approach the third respondent by tomorrow i.e., 09.12.2016 and the third respondent will consider the claim of the petitioner and pass orders after giving due notice to all the parties before 11.12.2016.

4. Having regard to the above submissions made by the learned Additional Advocate General appearing for the respondents 1 to 3, this Court, without going into the merits of the claim made by the petitioner, directs the petitioner to appear before the third respondent by tomorrow i.e., 09.12.2016 and on such appearance, the third respondent is directed to consider the claim of the petitioner on merits and in accordance with law after giving due notice to all the parties before 11.12.2016.

With the above direction, the Writ Petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

To

1.The Superintendent of Police,
Tiruppur District,
Tiruppur.

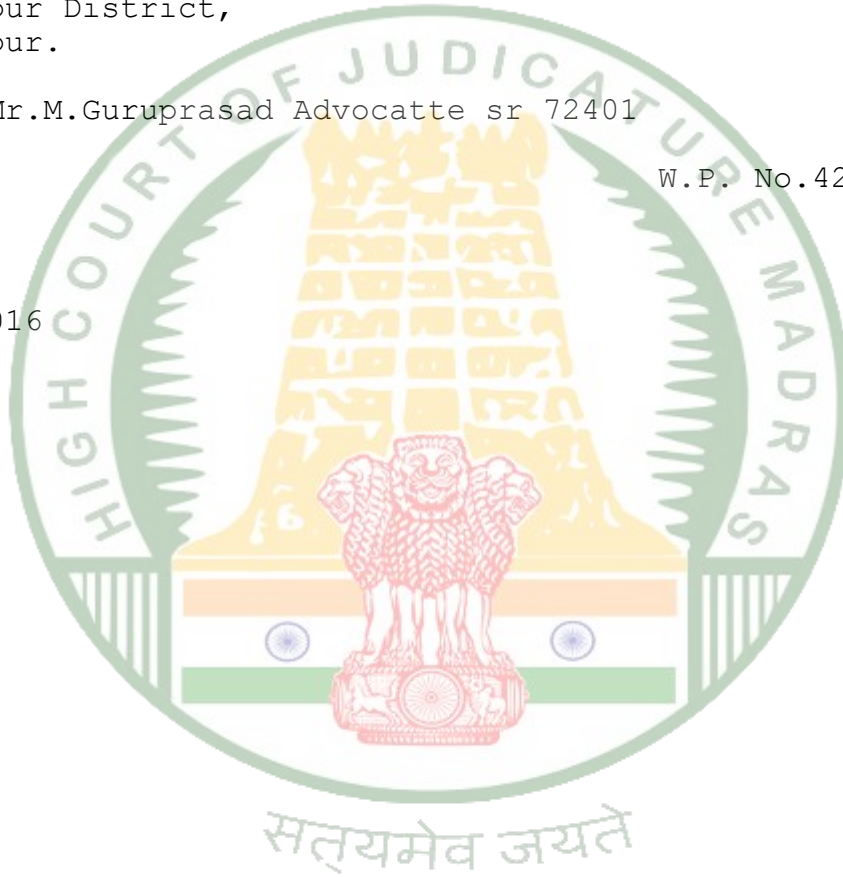
2.The Inspector of Police,
Mulanur Police Station,
Tiruppur District.

3.The Revenue Divisional Office,
Tiruppur District,
Tiruppur.

+1 cc to Mr.M.Guruprasad Advocatte sr 72401

W.P. No.42785 of 2016

ks(co)
aa08/12/2016



WEB COPY