

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 8/3/2016

C O R A M

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.8515 of 2016

T.G.Soundararajan

... Petitioner

Vs

The District Collector
District Collectorate Office
Salem 636 001.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to give permission to conduct the "Panguni temple Bull Pooja festival" at the temples, namely Arulmighu Sri Mariamman Temple, Arulmighu Sri Kaliyamman Temple, Arulmighu Sri Sarva Siddhi Vinayagar Temple and Arulmighu Sri Muniappan Thirukovilgal situated at Jari Kondaaalampatti Village, Salem District, on 23/3/2016 subject to reasonable condition in the light of the earlier order of this Court dated 20/2/2015 in W.P.No.3989 of 2015 and the order of the respondent dated 17/3/2015 in Mu.Mu.6753/15/C2 by considering and passing orders on the representation of the petitioner dated 6/2/2016.

For Petitioner ... Mr.K.Selvaraj

For respondent ... Mr.P.Sanjay Gandhi
Additional Government Pleader

O R D E R

With the consent of the learned counsel appearing on either side, this writ petition is taken up for final disposal, at the admission stage itself.

2. Heard Mr.K.Selvaraj, learned counsel for the petitioner and Mr.P.Sanjay Gandhi, learned Additional Government Pleader for the respondent.

3. This writ petition has been filed praying to direct the respondent, to give permission, to conduct the "Panguni temple Bull Pooja festival", at the temples, namely Arulmighu Sri Mariamman Temple, Arulmighu Sri Kaliyamman Temple, Arulmighu Sri Sarva Siddhi Vinayagar Temple and Arulmighu Sri Muniappan

Thirukovilgal, situated at Jari Kondaaalampatti Village, Salem District, on 23/3/2016 subject to reasonable condition, in the light of the earlier order of this Court, dated 20/2/2015, in W.P.No.3989 of 2015 and the order of the respondent, dated 17/3/2015, in Mu.Mu.6753/15/C2, by considering and passing orders, on the representation of the petitioner, dated 6/2/2016.

4. In the affidavit filed in support of the writ petition, the petitioner has stated that bulls will not be used for as performing animals and the bulls are being worshipped at the time of their festival and the bulls will not be in any manner be tortured or put to inconvenience.

5. The learned counsel appearing for the petitioner submitted that earlier, the petitioner had approached this Court, by filing a writ petition in W.P.No.6354 of 2014 and the Honourable Division bench by an order dated 17/3/2014 directed the authorities to grant permission subject to certain undertaking. The order reads as follows:-

"This writ petition is filed seeking a direction to the respondents to grant permission to conduct the temple Bull festival.

2. Learned Senior Counsel appearing for the petitioner submits that the apprehension of the District authorities that the Bull procession on the festival day i.e., on 19/3/2014 would cause disturbance and law and order problem, is misplaced. The petitioner has approached this Court earlier in the month of March 2013. The learned Single Judge of this Court, by an order dated 4/3/2013, after recording the undertaking of the petitioner to ensure smooth and peaceful celebration of the temple bull festival, directed the third respondent to grant permission.

3. Mr.S.T.S.Moorthy, learned Government Pleader, appearing for the respondents submits that if the petitioner files similar undertaking ensuring that the direction of the Hon'ble Supreme Court will be complied with, the authorities will consider and pass orders for grant of permission before the festival to be held on 19/3/2014. In view of the above, the petitioner is permitted to file necessary undertaking on 18/3/2014."

6. In the light of the above direction issued by the Honourable Division Bench and also in the light of the order of the District Collector dated 17/3/2015 in Mu.6753/15/C2, this Court is of the view that similar order can be issued in this writ petition also by directing the petitioner to issue similar undertaking ensuring orders of the Honourable Division Bench of this Court will be complied with. The authorities will consider for grant of permission to conduct the festival on 23/3/2016. The petitioner shall file the necessary undertaking before the respondent.

7. This writ petition is disposed of with the above observation. No costs.
mvs.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

The District Collector
District Collectorate Office
Salem 636 001.

+ 2 cc to Mr.K.Selvaraj, Advocate, SR 14767 & 14866

+ 1 cc to Govt.Pleader, High Court, Madras SR 15041

ksj(co)
prk9/3

W.P.No.8515 of 2016

सत्यमेव जयते

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