



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD)No.12864 of 2016

M.Senthilkumar

... Petitioner

-vs-

1.The Superintendent of Police
Dindigul District, Dindigul.

2.The Inspector of Police,
Sempatty Police Station
Dindigul District.

3.The Executive Officer
Arulmigu Sadayandiswamy Temple, Akkaraipatty
Having his office at Arulmigu Gopinathasamy Temple,
Reddiyarchathiram, Dindigul ... Respondents

(3rd respondent has been impleaded
as per the order of this Court
made in W.M.P.No.9775 of 2016
dated 22.07.2016)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the Respondents to grant permission and necessary Police Protection to perform the cultural programme (i.e) Dance Programme on 02.08.2016 at 07.00 pm to 12.00 pm in the Thiruvizha festival of Arulmighu Sree Sadayandi Thirukovil at Akkaraipatty Athur Taluk Dindigul District.

For Petitioner	:	M/s.V.Manikandan
For Respondent 1 & 2	:	Mr.D.Muruganandham Addl. Govt. Pleader
For Respondent 3	:	Mr.Aayiram Selvakumar, Govt.Advocate.

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the Respondents to grant permission and necessary Police Protection to perform the cultural programme (i.e) Dance Programme on 02.08.2016 at 07.00 pm to 12.00 pm in the Thiruvizha festival of Arulmighu Sree Sadayandi Thirukovil at Akkaraipatty Athur Taluk Dindigul District.

2.Mr.D.Muruganandham, learned Additional Government Pleader, takes notice for the respondents 1 and 2. Mr.Ayiram K.Selvakumar, learned Government Advocate, takes notice for the third respondent. By consent, the writ petition itself is taken up for final disposal.



3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, learned Government Advocate appearing for the respondents 1 to 3.

4. The learned counsel appearing for the petitioner would submit that the programme is being conducted by the villagers regularly in order to promote harmony during the above said festival period; that a representation was given to the respondent, but, however, the same was not considered by the respondent so far and hence, the petitioner is before this Court with this writ petition. The learned counsel appearing for the petitioner would further submit that as the aforesaid festival is celebrated in a peaceful manner by the villagers, there will be no untoward incident on account of this celebration.

5. The learned Government Advocate appearing for the third respondent submitted that there is rival claim to conduct the proceedings.

6. As there are rival claims between two groups and that the temple is under the management of the H.R. & C.E. Department, this Court may not be in a position to pass appropriate orders, as the situation prevailing in that area would be known to the respondent only.

7. Under such circumstances, the 2nd respondent is directed to conduct an enquiry by examining the petitioner and the 3rd respondent as well as the alleged rival parties, who are claiming interest in the conduct of the proceedings and take appropriate decision on merits and in accordance with law on or before 29.07.2016.

With the above direction, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar.

To

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

2. The Inspector of Police, Sempatty Police Station, Dindigul District.

3. The Executive Officer, Arulmigu Sadayandiswamy Temple, Akkaraipatty
Having his office at Arulmigu Gopinathasamy Temple,
Reddiyarchathiram, Dindigul.

+1CC to M/S.V.Manikandan, Advocate, SR.No.39006

ORDER MADE IN
W.P(MD) No.12864 of 2016
22.07.2016