

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2017

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
AND
THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

Writ Appeal No.1240 of 2017
and
CMP No.17219 of 2017

Sri Shakthi kaliasman Temple Administrative Trust,
(Regn No.674/2012)
Malaiadivaram,
Kalampattu Village,
Latheri (Via),
Katpadi Taluk,
Velur District
rep by its trustee and President,
S. Devarajulu

.... Appellant

..Vs..

1. The Collector,
Vellore District,
Sathuvachari
Vellore-632 009
2. The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam High Road,
Chennai.
3. The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sathuvachari,
Vellore-632 009
4. The District Revenue Divisional Officer,
District Collector Office,
Sathuvachari,
Vellore-632 009
5. The Superintendent of Police,
Sathuvachari,
Vellore - 632 009

6. The Tahsildar,
Katpadi,
Vellore - 632 007

7. Prabavathy
8. Jeyachand Babu
9. Ramesh Babu
10. Jeyasree
11. Vanisree
12. Parimala
13. Sudhakar
14. Jeyaprakash
15. Pasupalatti J. Ravi
16. P. Madhana Gopal

... Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order date 21.09.2017 in W.P.No.23970 of 2017.

W.P.No.23970 of 2017 : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 herein to permit the petitioner trust to administer the Shri Shakthi Kaliyamman Temple, situated in Survey No.71/1, Kalampattu, Malaiadivaram, Latheri (via), Katpadi Taluk Vellore District.

For Petitioner : Mr.N.Rajan

For R1, R4 to R6 : Mr.R.Govindasamy
Special Government Pleader

For R2 and R3 : Mr.M.Maharaja
Additional Government Pleader

JUDGMENT

(Judgment of the court was delivered by R. SUBRAMANIAN, J.,)

The Writ Appeal is filed against the order dated 21.09.2017, disposing of the writ petition based on the consent expressed by the learned counsel for the petitioner as well the learned counsel for the respondents 7 to 16.

2. A reading of the following paragraphs would show that both the counsel for the contesting parties were in agreement on the terms of the order:

" 4. When the matter is taken up for hearing, the learned counsel appearing for the petitioner and the respondents 7 to 16 submitted that since the First Appeal filed

by respondents 7 to 16 is pending and the same would be disposed of in a short time, the arrangement made for the past three years, for conducting the temple festival may be continued for this year. The learned counsel on either side submitted that the new arrangement may be contemplated from the next year after the disposal of the First Appeal.

5. In view of the submissions and the consent made by the learned counsel on either side, I do not wish to interfere with the conduct of the temple festival as was done in the previous three years. Therefore, I direct the 4th respondent to conduct the temple festival scheduled to be held from today i.e., 21.09.2017. However, the petitioner and the respondents 7 to 16 are at liberty to participate in the temple festival. It is needless to say that the 4th respondent, the Revenue Divisional Officer, should conduct the temple festival as he did in the last three years. So far as the procession is concerned, it is open to the 4th respondent to decide the same, taking into consideration the ground reality in the Villages.

3. Therefore, we do not think that we can interfere in the appeal. Hence the Writ Appeal is dismissed. It is made clear that this consent cannot operate for the ensuing years. No costs. Consequently, connected CMP is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

sr
To

1. The Collector,
Vellore District,
Sathuvachari
Vellore-632 009
2. The Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam High Road, Chennai.

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3. The Joint Commissioner,
Hindu Religious and Charitable Endowment,
Sathuvachari,
Vellore-632009

4. The District Revenue Divisional Officer,
District Collector Office,
Sathuvachari,
Vellore-632 009

5. The Superintendent of Police,
Sathuvachari,
Vellore - 632 009

6. The Tahsildar,
Katpadi,
Vellore - 632 007

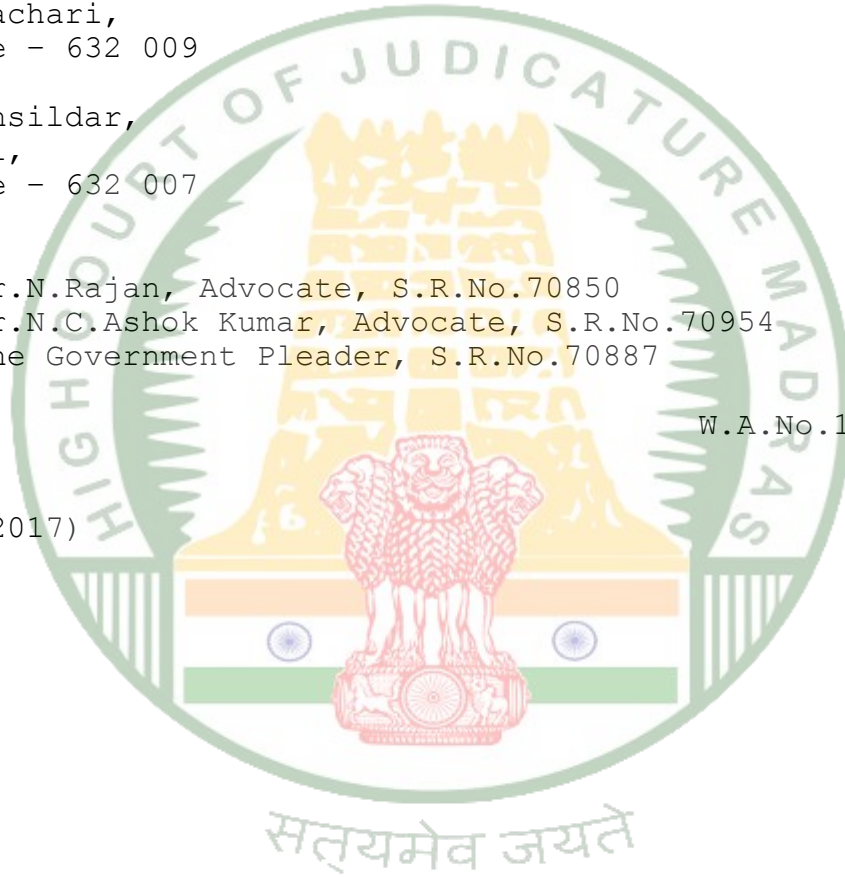
+1cc to Mr.N.Rajan, Advocate, S.R.No.70850

+1cc to Mr.N.C.Ashok Kumar, Advocate, S.R.No.70954

+1cc to the Government Pleader, S.R.No.70887

W.A.No.1240 of 2017

VD(CO)
CA(23/10/2017)



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