

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.4296 of 2017

and

WMP.No.4496/2017

N.Ramadass

... Petitioner

vs.

1. The District Collector,
Vellore District,
Vellore - 9.
2. The Deputy Superintendent of Police,
Vellore Range,
Vellore District.
3. The Tahsildar,
Vellore Taluk,
Vellore District.
4. The Village Administrative Officer,
Chinnapalabakkam Village,
Vellore Taluk, Vellore District.
5. Pushparaj
6. Samu
7. Suresh

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents 1 to 4 not to give permission to the respondents 5 to 7 or their men, representatives to conduct Sri Angalaparameshwari Temple Mayanakollai Festival situated at Chinnapalabakkam Village, Vellore Taluk, Vellore District scheduled to be held on 23.02.2017 and 24.02.2017 as against the desire of the village public based on the representation dated 15.02.2017.

For Petitioner

:Mr.M.Rajendran

For Respondents 1 to 4

:Mr.S.V.Duraisolaimalai
Special Government Pleader

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to respondents 1 to 4 not to give permission to respondents 5 to 7 or their men, representatives to conduct Sri Angalaparameshwari Temple Mayanakollai Festival at Chinnapalabakkam Village, Vellore Taluk, Vellore District scheduled to be held on 23.02.2017 and 24.02.2017 as against the desire of the village public, based on the representation dated 15.02.2017.

2. According to the petitioner, 'Mayanakollai' festival is being celebrated in Sri Angalaparameshwari Temple every year by their Villagers. It is his case that since there is no Nattamai in their Village for the last three years, respondents 5 to 7, viz. Pushparaj, Suresh and Samu, have acted on their own without disclosing any details to the public. Also, they have not handed over the accounts pertaining to the amount collected from the public. In this regard, a complaint was given to Vellore Police Station on 07.02.2017 and CSR No.69/2016 has been issued to that effect.

3. Pursuant thereto, the Inspector of Police conducted a Peace meeting on 29.06.2016 at 10.00 a.m. in the presence of the Deputy Superintendent of Police, Vellore Range and the Tahsildar, Vellore Taluk and the Tahsildar directed respondents 5 to 7 to deposit a sum of Rs.50,000/- in the name of the Village Administrative Officer and to handover the Temple key to the Village Administrative Officer. It was further observed that if no consensus is arrived between the parties, both parties should not conduct the festival due to law and order problem. The grievance of the petitioner is that without depositing the said sum in the name of the Village Administrative Officer, respondents 5 to 7 have made arrangements to conduct the festival on 23.02.2017 and 24.02.2017. Hence, the petitioner made a representation dated 15.02.2017 to the official respondents seeking a direction to respondents 5 to 7 to comply with the order dated 29.06.2016 passed by the Tahsildar. Pending consideration of the same, the petitioner is before this Court.

4. Heard the learned counsel on either side and perused the material documents available on record.

5. On a perusal of the written instructions, dated 22.02.2017 issued by the 2nd respondent/Deputy Superintendent of Police, Vellore Sub-Division, Vellore District and the Report of the 3rd respondent/Tahsildar, Vellore Taluk, Vellore, dated 21.02.2017, it is very clear that the petitioner is trying to create trouble in the function. It is seen that the 5th

respondent, viz. Pushparaj and their team have organised the festival on 25.02.2017 and 26.02.2017 on behalf of the Village public and youngsters. Further, the Deputy Superintendent of Police, Vellore has observed that no law and order problem will arise if the petitioner and his team co-operates with the peaceful conduct of the said festival. Moreover, it is seen that Peace Committee has been constituted only with regard to the conduct of festival on 25.02.2017 and 26.02.2017 under the leadership of Pushparaj.

6. Now, it is represented by the learned counsel for the petitioner that the petitioner will not interfere with the conduct of the festival on 25.02.2017 and 26.02.2017 under the leadership of Pushparaj and that he will not create any law and order problem. The said submission of the learned counsel is recorded.

7. In such view of the matter, the authorities concerned shall see that the festival is being conducted on 25.02.2017 and 26.02.2017 peacefully under the leadership of Pushparaj, as per the findings arrived by the Peace Committee. The petitioner/N.Ramadass is at liberty to conduct the said festival on some other date, peacefully, if he desires so as per the Peace Committee meeting. It is made clear that if violence of any sort is reported in the festival, the respondent Police is at liberty to proceed against the violators, including the petitioner.

This Writ Petition is disposed of with the above direction. No costs. Consequently, connected W.M.P.No.4496 of 2017 is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

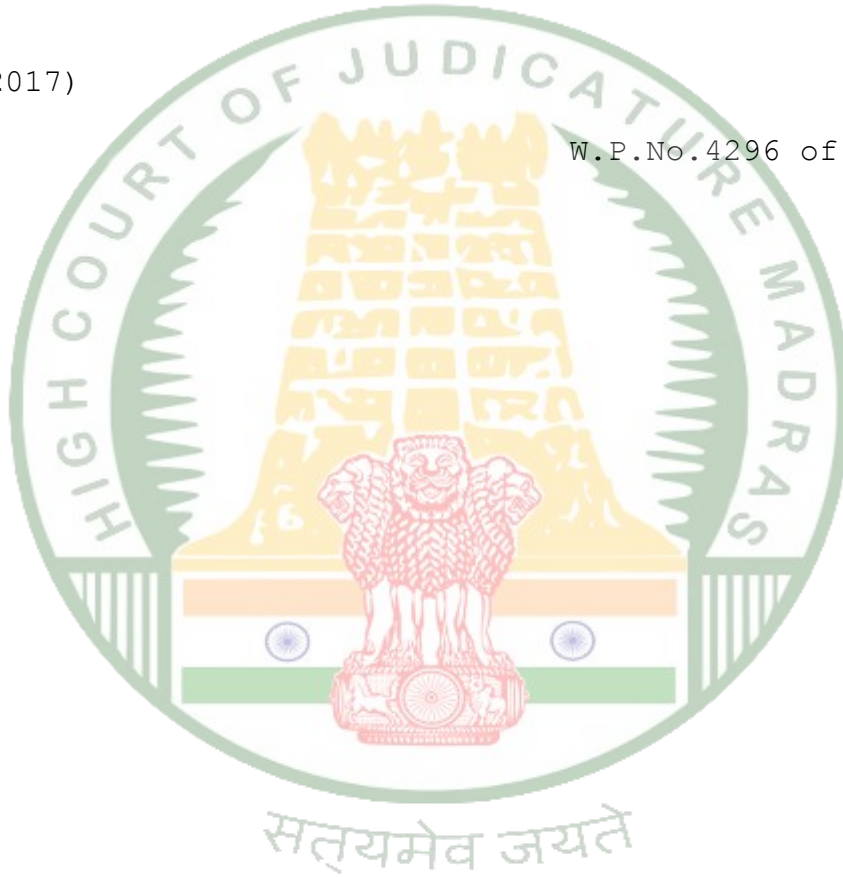
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Vellore Taluk, Vellore District.

+lcc to Mr.M. Rajendiran, Advocate, S.R.No.11569
+lcc to the Government Pleader, S.R.No.11803

ssi(CO)
md(24/02/2017)

W.P.No.4296 of 2017



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