

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2017

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND

The Hon'ble MR.JUSTICE M.SUNDAR
W.P.No.493 of 2017

R.Sathyamurthy ... Petitioner

-vs-

1. The Commissioner,
Hindu Religious and Charitable
Endowment Department,
Nungambakkam,
Chennai-34.

2. The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
Villupuram.

3. Asst. Commissioner/Fit Person,
Shri Aranganatha Temple,
Thiruvarangam Village,
Sankarapuram Taluk,
Kallakurichi Revenue Division,
Villupuram District.

4. Executive Officer,
Shri Aranganatha Temple,
Thiruvarange,
Sankarapuram Taluk,
Kallakurichi Revenue Division,
Villupuram District.

5. Revenue Divisional Officer,
Kallakurichi,
Villupuram District.

6. Deputy Superintendent of Police,
Sankarapuram,
Villupuram District.

.. Respondents

Writ Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the respondents to strictly implement the decision of permitting all communities people to do the service of Palanquin bearing in the subject temple viz. Shri Aranganatha Temple at Thiruvaramangam, Sankarapuram Taluk, Villupuram District during the forthcoming Vaikunta Ekadesi Festival scheduled on 08.01.2017, by passing appropriate and necessary orders, as was ordered in the previous peace committee meetings held in the years 2014 and 2015 headed by the 5th respondent, before the said date, with adequate police protection to implement the same.

For Petitioner : Mr.C.Mahendran

For Respondents : Mr.M.Maharaja
Spl. G.P.(HR&CE) for R1 to R4
Mr.R.Vijayakumar
Addl. G.P. for R5 & R6

* * * * *

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The cause of action is over, as the functions have been held.

2. It is pointed out that a civil suit is pending, which ex facie would be barred under Section 108 read with Section 63(e) of the Tamil Nadu Hindu Religious and Charitable Endowments Act, 1959. But the respondent authorities have taken no steps to bring this aspect to the notice of the Court, with the result, the pendency of the suit itself is creating some complications. The respondent authorities to take necessary steps within fifteen days from today.

3. We have also observed in different proceedings that if any law and order situation is sought to be created, it would be better that the deity is left at peace without anybody holding prayers as that is a better situation, rather than the followers fighting between themselves.

4. The petition is closed in the aforesaid terms. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Department,
Nungambakkam,
Chennai-34.
- 2.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Villupuram.
- 3.The Asst. Commissioner/Fit Person,
Shri Aranganatha Temple,
Thiruvarangam Village,
Sankarapuram Taluk,
Kallakurichi Revenue Division,
Villupuram District.
- 4.The Executive Officer,
Shri Aranganatha Temple,
Thiruvarangam Village,
Sankarapuram Taluk,
Kallakurichi Revenue Division,
Villupuram District.
- 5.The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.
- 6.The Deputy Superintendent of Police,
Sankarapuram,
Villupuram District.

+1cc to Mr.Mahendran, Advocate, S.R.No.2166
+1cc to the Government Pleader, S.R.No.2094
+1cc to the Government Pleader, S.R.No.2913

GJ(CO)
RS(18/01/2017)

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