

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2017

CORAM

THE HON'BLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.11426 of 2017 and
W.M.P.Nos.12380 & 12381 of 2017

A.Sathyamurthi

... Petitioner

Vs.

1.The District Collector,
Villupuram District, Villupuram.

2.The Tahsildar,
Melmalaiyanoor Taluk, Villupuram District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam, Chennai - 600 034.

4.The Deputy Superintendent of Police,
Villupuram.

5.Thakkar/Inspector,
Dhrowpathi Amman Thirukoil,
Avarloorpet, Villupuram.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records of the impugned letter dated 20.04.2017 in Na.Ka.No.157/2017 on the file of the 5th respondent and quash the same as illegal, incompetent and unconstitutional and further direct the respondents to permit the petitioner to conduct the Thee Midhi Thiruvizha in Dhrowpathi Amman Temple, Avaloorpet, Villupuram District in accordance with law.

For Petitioner : Mr.J.Sudhakaran

For Respondents: Mr.S.Pattabiraman,
Government Advocate (R1, R2 & R4)

For R3 & R5 : M.Maharaja, Special Government Pleader

O R D E R

Challenging the impugned order dated 20.04.2017 passed by the 5th respondent, the petitioner has filed the above Writ Petition to issue a writ of certiorarified mandamus to quash the said order and to direct the respondents to permit the petitioner to conduct the Thee Midhi Thiruvizha in Dhrowpathi Amman Temple, Avaloorpet, Villupuram District in accordance with law.

2.Mr.S.Pattabiraman, learned Government Advocate takes notice for the respondents 1, 2 & 4.

3.According to the petitioner, a Peace Committee was convened by the 5th respondent on 20.04.2017 and at the instance of 21 Ubedars, the Peace Committee was adjourned to some other date without mentioning a date, enabling the said persons to participate in the Peace Committee meeting. The petitioner proposed to celebrate the temple festival from 01.05.2017 to 22.05.2017. Since the Peace Committee meeting was not convened after 20.04.2017, the 5th respondent passed the impugned order dated 20.04.2017 restraining the petitioner from conducting the temple festival. In the order, the 5th respondent also observed that permission can be granted to the petitioner for conducting the temple festival unless all the parties join together and celebrate the festival.

4.I do not find any error or irregularity in the order passed by the 5th respondent. However, since the Peace Committee meeting held on 20.04.2017 was adjourned without mentioned a date, enabling all 21 Ubedars to participate in the meeting, I direct the 5th respondent to fix a date for convening the Peace Committee meeting of all interested persons, including 21 Ubedars and take a decision in the Peace Committee meeting.

5.With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Villupuram District, Villupuram.

2.The Tahsildar,
Melmalaiyanoor Taluk, Villupuram District.

3.The Assistant Commissioner,
Hindu Religious and Charitable Endowment,
Nungambakkam, Chennai- 600 034.

4.The Deputy Superintendent of Police,
Villupuram.

5.Thakkar/Inspector,
Dhrowpathi Amman Thirukoil,
Avarloorpet, Villupuram.

+1cc to M/S.J.Sudhakaran, Advocate Sr.36352

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srg 28/04/2017



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