

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2017

CORAM :

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
AND
THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.No.14949 of 2017

Rangarajan Narasimhan

.. Petitioner

vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Tamil Development Culture,
Religious Endowments & Information,
Secretariat, Fort St. George,
Chennai - 600 009.

2.The Commissioner,
Hindu Religious & Charitable Endowments
Department, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.

3.The Joint Commissioner,
HR & CE, Thanjavur.

4.Mr.K.Krishnakumar,
The Executive Officer,
Shri Sowriraj Perumal Temple,
Thirukkannapuram, Nagapattinam

5.The Board of Trustees/Fit Person,
Shri Sowriraja Perumal Temple,
Thirukkannapuram,
Nagapattinam.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus, directing the 5th respondent Board of Trustees of the Shri Sowriraja Perumal Temple, Thirukkannapuram to conduct the Brahmotsavam after performing the necessary Prayaschitta as specified in the Agama Shastras which falls on Tamil month Aani the makha Nakshatra as prescribed by the Agama Shastras and further direct the respondents 2 to 4 to facilitate the same as directed by the Board of Trustees.

For Petitioner : Mr.Rangarajan Narasimhan
Party-in-Person
For Respondents : Mr.M.Maharaja
Spl.Govt.Pleader (For R1 to R3)
Mr.R.Bharanidharan (For R4 & R5)

ORDER

(Order of this Court made by M.SUNDAR,J.)

Today (28.06.2017), Mr.Rangarajan Narasimhan, the writ petitioner appearing party-in-person is present. Mr.M.Maharaja, learned Special Government Pleader appearing on behalf of the official respondents, namely, respondents 1 to 3 is present. For the Executive Officer and the Fit Person, who are the respondents 4 and 5 respectively, Mr.R.Bharanidaran, learned counsel is present.

2.Read these proceedings/order in conjunction with the earlier order/proceedings dated 19.06.2017. We make it clear that the earlier

proceedings/order dated 19.06.2017 was a common order/proceedings in all the three writ petitions, viz., W.P.Nos.14949 to 14951 of 2017.

3.Today, in the light of the stated position which the parties have taken before us and in the light of the earlier order, we propose to de-tag two out of the three writ petitions, namely, W.P.Nos.14950 and 14951 of 2017 and for being kept for hearing separately. Therefore, this shall be an order in W.P.No.14949 of 2017, nonetheless it shall be read in conjunction with the earlier common order in the above writ petition.

4.As would be evident from the earlier proceedings/order, the Agama Shastras with regard to the temple in question, namely, Shri Sowriraja Perumal Temple, Thirukkannapuram, Nagapattinam District is not in dispute between the parties. With regard to the conduct of Brahmotsavam, the respondents 4 and 5 after accepting the position in the Agama Shastras, but had raised only two points, which are, administrative and secular in nature, namely, the non-availability of Ubhayadharars and non-cooperation of the Sripadhams numbering about 120 who according to the writ petitioner are squatting on the temple property.

5.However, pursuant to the earlier proceedings/order dated 19.06.2017

all the five respondents have filed a joint report dated 23.06.2017. As per the joint report, the respondents have now stated that both the aforesaid issues have been sorted out. They have the requisite Ubhayadharars/volunteers for the Brahmotsavam. In addition to the above, when the matter came up yesterday (27.06.2017), a detailed schedule of the Brahmotsavam together with the Prayaschittha (as prescribed and as brought out/highlighted by the petitioner) from 29.06.2017 to 11.07.2017 (both days inclusive) has been filed in the Court. An advance copy has been furnished to the writ petitioner. The writ petitioner accepts and admits that the detailed schedule is strictly in accordance with the Agama Shastras.

6. Therefore, we have, as stated supra, de-tagged the writ petitions in W.P.Nos.14950 and 14951 of 2017 from this writ petition to be posted separately, for hearing.

7. In this writ petition, namely, W.P.No.14949 of 2017, as consensus has been arrived at between the parties, we pass the following order by consent of both parties:

- 1) The Brahmotsavam together with Prayaschittha for the temple, namely, Shri Sowriraja Perumal Temple, Thirukkannapuram, Nagapattinam District shall be conducted

in accordance with the schedule annexed to this order from 29.06.2017 to 11.07.2017 (both days inclusive);

- 2) We have already vide proceedings/order dated 23.06.2017, directed the Superintendent of Police, Nagapattinam District to give all assistance that may be necessary to maintain law and order and to ensure the smooth conduct of Brahmotsavam in the above said dates and
- 3) The writ petitioner as well as the officials respondents and their officials/staffs shall act in tandem, co-operate with each other and ensure that the conduct of the function is smooth and not impeded by any extraneous factor whatsoever.

8. Accordingly, the writ petition, viz., W.P.No.14949 of 2017 is disposed of on the above terms. No costs.

(M.M.S.,J.) (M.S.,J)
28.06.2017

cse/maya
Index:Yes/No

Note: Issue order copy on 28.06.2017

To

- 1.The Secretary,
Department of Tamil Development Culture,
Religious Endowments & Information,
Secretariat, Fort St. George,
Chennai - 600 009.
- 2.The Commissioner,
Hindu Religious & Charitable Endowments
Department, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 600 034.
- 3.The Joint Commissioner,
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- 4.Mr.K.Krishnakumar,
The Executive Officer,
Shri Sowriraj Perumal Temple,
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- 5.The Board of Trustees/Fit Person,
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Thirukkannapuram,
Nagapattinam.

M.M.SUNDRESH,J.
and
M.SUNDAR,J.

cse/maya

W.P.No.14949 of 2017

28.06.2017