

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 27.01.2017

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.1882 of 2017
and
W.M.P.No.1876 of 2017

S.Palanivel

... Petitioner

Vs.

1. The Commissioner,
HR & CE Department,
119, Nungambakkam High Way,
Nungambakkam,
Chennai-34.

2. The Joint Commissioner,
HR & CE Department,
Kottai Mariamman Complex,
Salem-636 001.

3. The Assistant Commissioner,
HR & CE Department,
Sengunthar Kalyanamandapa Complex,
Dharmapuri-1.

4. Gnanasekaran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of Mandamus, directing the respondents 1 to 3 not to permit the fourth respondent to perform "Thai Poosa Car Festival in the year 2017 at Arulmigu Pudhu Subramaniaswamy Thirukoil at Papparapatti, Dharmapuri District and consequentially permit to perform the same in the presence of general public as well as the department officials by considering the petitioner's representation dated 18.10.2016 and 04.01.2017.

For Petitioner : Mr.Jayaprakash
for Mr.R.Marudhachalamurthy

For Respondent : Mr.M.Maharaja
Nos.1 to 3 Special Government Pleader
(HR & CE)

O R D E R

This writ petition has been filed by the petitioner seeking a direction to the respondents 1 to 3, not to permit the fourth respondent herein to perform "Thai Poosa Car Festival in the year 2017" at Arulmigu Pudhu Subramaniaswamy Thirukoil at Papparapatti, Dharmapuri District and also to give permission to perform the same in the presence of general public as well as the department officials by considering his representations dated 18.10.2016 and 04.01.2017.

2. Heard the learned counsel for the petitioner as well as the learned Special Government Pleader for the respondents 1 to 3.

3. When the matter came up for hearing today, it is brought to the notice of this Court that the writ petition involving the similar issue is pending for adjudication before this Court in W.P.No.38695 of 2016. In view of the same, this Court is of the opinion that unnecessary filing of this petition should be curbed. However, the petitioner is at liberty to implead himself as a party to the said writ petition, where he can raise all his pleas, which has been raised in this petition.

4. The learned Special Government Pleader for the respondents 1 to 3 would submit that as per the direction of this Court, the Executive Officer, who is the Fit person, is now functioning in the subject Temple, of course, with the assistance of the Trustee.

5. If the petitioner is having any other grievance, he can raise all his pleas before this Court in the pending writ petition after impleading him as a party to the said writ petition.

6. With the above observation and direction, this Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

DP

To

1. The Commissioner,
HR & CE Department,
119, Nungambakkam High Way,
Nungambakkam, Chennai-34.

2. The Joint Commissioner,
HR & CE Department,
Kottai Mariamman Complex,
Salem-636 001.

3. The Assistant Commissioner,
HR & CE Department,
Sengunthar Kalyanamandapa Complex,
Dharmapuri-1.

+1cc to Mr.R.Marudhachalamurthy, Advocate, S.R.No.5532

+1cc to the Government Pleader, S.R.No.5917

W.P.No.1882 of 2017
and
W.M.P.No.1876 of 2017

RV(CO)
CA(07/02/2017)



WEB COPY