

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2017

CORAM

THE HON'BLE Mr.JUSTICE M.DURAI SWAMY

W.P.No.19556 of 2017

and

W.M.P.Nos.21111 & 21112 of 2017

Arulmigu Mariamman Temple
rep by its Chairman of Hereditary Trustee
C.R.Thirupathi Gounder,
S/o Chinnapaiyan @ Ramasamy,
Avadhanapatti Village, Agraharam Post,
Krishnagiri Taluk & District. Petitioner

Vs.

1. The Secretary to Government,
Government of Tamil Nadu
HR & CE Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2. The Commissioner,
HR & CE Department,
Nungambakkam High Road,
Chennai - 600 034.
3. The Joint Commissioner,
HR & CE Department,
Fort Mariamman Temple,
Salem - 636 001.
4. The Assistant Commissioner,
HR & CE Department, Dharmapuri.
5. The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the order passed by the 5th respondent dated 26.07.2017 and quash the same and further direct the respondents 3 to 5 to grant permission to perform the 165th Aadi Thiruvizha in respect of the petitioner's temple held on 30.07.2017 to 05.08.2017 at Avadhanapatti Village, Krishnagiri Taluk & District.

For Petitioner : Mr.C.Samivel

For Respondents : Mr.M.Maharaja,
Special Government Pleader
(HR & CE) (R1 to R4)

O R D E R

Mr.M.Maharaja, learned Special Government Pleader taking notice for the respondents 1 to 4 submitted that the petitioner has already filed a Writ Petition in W.P.No.18605 of 2017 to issue direction to the 4th respondent to conduct the election in the post of the Chairman for Board of Hereditary Trustees as per the proceedings of the 3rd respondent and also interim direction directing the respondents 3 & 4 to grant permission to perform the 165th Aadi Thiruvizha of the Arulmigu Mariamman Temple from 30.07.2017 to 05.08.2017 and this Court had directed the petitioner to participate in the Peace Committee meeting and posted the matter after three weeks for filing counter.

2.Now, it is brought to the notice of this Court that the petitioner ("A" Party) and "B" Party had participated in the Peace Committee meeting in the presence of the Revenue Divisional Officer and since no settlement was arrived between the parties, the Revenue Divisional Officer permitted the HR & CE Department to conduct the festival imposing six conditions.

3.The conditions were imposed by the Revenue Divisional Officer only to prevent any law and order problem at the time of conducting the temple festival. Now, challenging the resolution passed on 26.07.2017 in the Peace Committee meeting, the petitioner has come forward with another Writ Petition.

4.Since the Revenue Divisional Officer has clearly stated that the parties were not willing for any amicable settlement for conducting the temple festival and in order to prevent any law and order problem, the conditions were imposed for smooth conduct of the Aadi festival. The order has been passed by the Revenue Divisional Officer after considering the ground reality. Hence, I do not find any reason to interfere with the order passed by the 5th respondent dated 26.07.2017. In view of the same, the Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
Government of Tamil Nadu
HR & CE Department,
Secretariat, Fort St.George,
Chennai - 600 009.
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HR & CE Department,
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Salem - 636 001.
4. The Assistant Commissioner,
HR & CE Department, Dharmapuri.
5. The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.

+1cc to Mr.C.Samivel, Advocate, S.R.No.54642
+1cc to the Government Pleader, S.R.No.54920

W.P.No.19556 of 2017
and
W.M.P.Nos.21111 & 21112 of 2017

KK(CO)
CA(10/08/2017)

सत्यमेव जयते

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