



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.14675 of 2017

Athmanathan

... Petitioner

Vs.

1.The District Collector
Sivagangai District.

2.The Revenue Divisional Officer,
Devakottai Taluk,
Sivagangai District.

3.The Joint Commissioner
Hindu Religious and Charitable Endowments,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to dispose of the O.A. 2 of 2001 and O.A. 3 of 2011 within 15 days after giving due opportunity to the parties concerned, other wise may direct the third respondent to issue an interim order on the basis of this Court's order in W.P.No.10558 of 2011 dated 27.09.2011 to conduct the Kandadevi Mariamman Temple festival for the year of 2017 (viz.) 26.09.2017 to 04.10.2017.

For Petitioner : Mr.K.P.Narayanakumar

For Respondents : Mr.S.Kumar,
Additional Government Pleader

O R D E R

This writ petition has been filed, seeking to direct the third respondent to dispose of O.A. 2 of 2001 and O.A. 3 of 2011 within 15 days after giving due opportunity to the parties concerned or direct the third respondent to issue an interim order on the basis of this Court's order made in W.P(MD)No.10558 of 2011, dated 27.09.2011, so as to conduct the Kandadevi Mariamman Temple festival for the year of 2017 from 26.09.2017 to 04.10.2017.



3. It is the case of the petitioner that in Kandadevi Village of Devakottai Taluk, from time immemorial, Mariamman Temple festival is conducted in a peculiar manner by giving duties, liabilities and first respect is given to certain families. In the meanwhile, some dispute arose between some of the families, regarding the first respect and the petitioner filed a suit in O.S.No.342 of 1991 before the District Munsif Court, Devakottai, which was dismissed. Subsequently, the petitioner filed O.A.2 of 2001 and one Jambulingam filed O.A.3 of 2011 before the third respondent and despite the direction issued by this Court in WP (MD) No.17520 of 2016, to dispose the O.A.2 of 2001 and 3 of 2011 on or before 27.11.2016, so far, no action was taken by the respondents. The festival for this year is going to be conducted from 26.09.2017 to 04.10.2017. Because of pendency of the above O.A.s, the rights enjoyed by the petitioner and his family members are being curtailed. Hence, the petitioner has come before this Court with the above said prayer.

4. Learned counsel for the petitioner has submitted that though the petitioner has sought for a larger relief, now the petitioner confines his prayer for early disposal of O.A. 2 of 2001 and O.A. 3 of 2011 at an earlier date, so as to enable the petitioner to conduct the festival, which is scheduled to be held from 26.09.2017 to 04.10.2017

5. At this juncture, the learned Additional Government Pleader has submitted that the third respondent requires two weeks time for disposal of the O.A.2 of 2001 and O.A.3 of 2011 and the third respondent is the competent authority to pass orders in this matter.

6. Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the third respondent to dispose of O.A.2 of 2001 and O.A.3 of 2011, if not disposed of earlier, on or before 20.09.2017, after affording due opportunity of hearing to the petitioner as well as other interested parties, if any.

7. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

<https://hservices.hc.madras.gov.in/services>
The District Collector
Sivagangai District.



2.The Revenue Divisional Officer,
Devakottai Taluk,
Sivagangai District.

3.The Joint Commissioner
Hindu Religious and Charitable Endowments,
Sivagangai District.

+1cc to M/S.K.P.Narayanakumar, Advocate SR.No. 73028

+1cc to Special Government Pleader, SR.No. 72935

W.P (MD) No.14675 of 2017
16.08.2017

rm

JM/KK/SAR 1/22.08.2017/3P/6C