



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE A.SELVAM
and
THE HONOURABLE MR.JUSTICE N.AUTHINATHAN

W.P(MD)No.3815 of 2017
and
W.M.P(MD)No.3022 of 2017

Jeyachandran

.. Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the entire records relating to impugned memorandum issued by the second respondent herein in Na.Ka.No.C1/4171/2017, dated 16.02.2017 and quash the same and consequently direct the respondents herein to allow the vehicle movements in the four car streets of Sri Ramanathaswamy Temple situated at Rameswaram, Ramanathapuram District for the purpose of dropping and pick up for the welfare of the pilgrims.

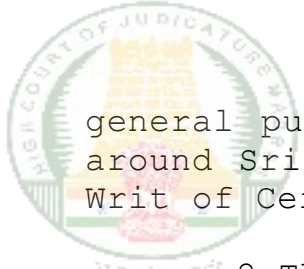
For Petitioner : Mr.B.Thangamani

For Respondents : Mr.M.Govindan,
Special Government Pleader.

ORDER

[Order of the Court was made by **A.SELVAM, J.**]

This Writ Petition has been filed under Article 226 of the Constitution of India praying to call for records relating to the impugned order dated 16.02.2017 passed in Na.Ka.No.C1/4171/2017 by the second respondent and quash the same and also for giving necessary direction to the second respondent permitting the



general public to take their vehicle for dropping and picking up around Sri Ramanathaswamy Temple, Rameswaram, by way of issuing a Writ of Certiorarified Mandamus.

2.The learned counsel appearing for the petitioner has vehemently contended to the effect that previously, the second respondent has allowed vehicles to make entry in all four roads of Sri Ramanathaswamy Temple, Rameswaram. Now, he passed an order dated 16.02.2017 to the effect that due to threat to the Temple, vehicles cannot be allowed. Under the said circumstances, the impugned order passed by the second respondent is totally erroneous and the same is liable to be quashed.

3.The learned Special Government Pleader appearing for the respondents has contended that earlier, vehicles have been allowed to park on four car streets of Sri Ramanathaswamy Temple, Rameswaram and now due to threat, the second respondent has passed the impugned order, dated 16.02.2017 and the same is perfectly correct and therefore the present Writ Petition cannot be allowed.

4.It is an admitted fact that on four sides of Sri Ramanathaswamy Temple, Rameswaram, roads are available. It is also equally an admitted fact that earlier, vehicles are permitted to park on all four sides of roads.

5.In fact, this Court has perused the impugned order dated 16.02.2017 wherein it has been elaborately dealt with that only due to security reason the vehicles are not permitted to make entry.

6.Considering the fact that in the impugned order it has been specifically mentioned that only due to threat to the historic Temple of Sri Ramanathaswamy, Rameswaram, this Court feels that the second respondent has rightly passed the impugned order, dated 16.02.2017.

7.The learned counsel appearing for the petitioner has also contended to the effect that by virtue of earlier order of this Court, dropping and picking up has been allowed and the same should be maintained.

8.It is true that by way of interim order, this Court has permitted dropping and picking up, but the second respondent, after considering the security reasons for the purpose of protecting historic Temple of Sri Ramanathaswamy, Rameswaram, has rightly passed the impugned order and therefore this Court is not inclined to pass an order to the effect of dropping and picking up. Therefore, viewing from any angle, the contention put forth on behalf of the petitioner cannot be accepted and altogether the present Writ Petition deserves to be dismissed.



9. In fine, this Writ Petition is dismissed. No costs.
Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar

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/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.

2. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

+1cc to Mr. B. Thangamani, Advocate in SR.No.61665

+1 cc to Special Government Pleader in SR.No.61184

ps

AE/SKN RSK/SAR1/30.06.2017/3P/5C

ORDER MADE IN
W.P (MD) No. 3815 of 2017
and
W.M.P (MD) No. 3022 of 2017
20.06.2017