



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.03.2017

CORAM:

THE HON'BLE Mr.JUSTICE V.PARTHIBAN
W.P. (MD) No.3933 of 2017

V.Palanichamy

... Petitioner

Vs.

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pudukottai.
- 3.The Inspector of Police,
Annavasal Police Station,
Pudukottai District.
- 4.The Manager,
Pudukottai Devasthanam,
Pudukottai.
- 5.The Tahsiildar,
Illuppur Taluk, Pudukottai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the Respondents 1 and 2 to grant permission to conduct 4th day or any other day of Mandagapadi festival for the year 2017 of The Arulmigu Bairavanatha Temple situated in Peyal Village, Iluppur Taluk, Pudukottai District, scheduled to be conducted from 02.03.2017 to 11.03.2017 in consideration of the representation of the petitioner, dated 20.02.2017.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

O R D E R

The petitioner seeks for a Mandamus directing the respondents 1 and 2 to grant permission to conduct 4th day or any other day of Mandagapadi festival for the year 2017 of The Arulmigu Bairavanatha Temple situated in Peyal Village, Iluppur Taluk, Pudukottai



District, scheduled to be conducted from 02.03.2017 to 11.03.2017 in consideration of his representation, dated 20.02.2017.

2. Heard Mr.R.Maheswaran, learned counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents.

3. It is stated that the petitioner belongs to Peyal Village and he belongs to Upiliya Nayakar Community. In the village temple festival, they are intended to conduct Mandagapadi on the 4th day of Masi Festival. To that effect, the petitioner submitted a representation to the first respondent on 20.02.2017 requesting to grant permission to conduct Mandagapadi on the 4th day of the festival.

4. While the matter stood thus, it appears that there was some dispute as to the claim of the petitioner and the others and therefore, peace committee meeting held on 02.03.2017, wherein it was resolved that 10th day Masi festival shall be conducted by the Gounder community people. With regard to the 4th day Masi festival, the petitioner community after getting the appropriate permission from the H.R & C.E Department in future, shall conduct the said Mandagapadi.

5. In such view of the matter, the present writ petition filed by the petitioner seeking to conduct the Mandagapadi is misconceived, since in the peace committee meeting, the petitioner community had agreed that they would claim any right for participating in the 4th day Mandagapadi only in future.

6. In such view of the matter, the petitioner, if so advised, may approach the authority concerned, namely, H.R & C.E. Department, to obtain proper permission to enforce their right to participate in the Masi Festival in future. If any request is made by the petitioner or petitioner community, the same shall be considered by the competent authority on merits and in accordance with law, as expeditiously as possible.

7. With the above direction, this Writ Petition is disposed. No costs.

SD/-

ASSISTANT REGISTRAR (AS)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

1. The District Collector,
Pudukottai District,
Pudukottai.

2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pudukottai.



3.The Inspector of Police,
Annavaasal Police Station,
Pudukottai District.

4.The Manager,
Pudukottai Devasthanam,
Pudukottai.

5.The Tahsildar,
Illupur Taluk, Pudukottai District.

+1 cc to SPECIAL GOVERNMENT PLEADER, SR NO.13473

+1 CC TO M/S.R.MAHESWARAN, ADVOCATE, SR NO.13540

+1 CC TO M/S.P.GANAPATHI SUBRAMANIAN, ADVOCATE, SR NO.13626

skn

MAS/MR:20.03.2017:3P-9C

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