



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CONT. P. (MD) No.379 of 2016

in

W.A. (MD) No.364 of 2016

P.K.N.Arumugam,
In-Charger,
Arulmighu Sri Sithanatha Sametha
Angala Parameswari Temple
Construction committee,
No.81, Bypass Road,
Megamari Building,
Madurai.

... Petitioner

Vs.

1. Keerthiga
Sub Inspector of Police,
Chinthamanipatti Police Station,
Varavanai, Kadavur, Kulithalai Taluk,
Karur District.
2. C.Angusamy
3. P.Palanichamy

... Contemnors

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the contemnors/respondents for the wilful disobedience of the orders passed by this Court dated 07.03.2016 in W.A.(MD)No.364 of 2016.

Prayer in WA(MD). 364/ 2016 :

To prefer the Memorandum of Grounds of Writ Appeal against the Order dated 11.01.2016 in W.P(MD)No.575 of 2016 of Honourable Mr.Justice S.Vaidyanathan.

Prayer in WP(MD). 575/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents 1 to 4 to appoint Archakar to conduct the Mahasivarthiri Festival at Arulmighu Sri Sithantha Sametha Angala Parameswari Thirukoil, Varavanai, Kadavur, Karur District on 07.03.2016 and 08.03.2016 and further direct the 5th respondent to give adequate police protection for conducting the same.

For Petitioner

: Mrs.R.Meenakumari

<https://hcservices.ecourts.gov.in/hcservices/>

For R1 & R3

: No appearance

For R2

: Mr.A.N.Ramanathan

**O R D E R****[Order of the Court was made by T.S.SIVAGNANAM, J.]**

This Contempt Petition has been filed alleging disobedience of the Judgment dated 07.03.2016, delivered by the Division Bench in W.A. (MD).No.364 of 2016.

2. The matter pertains to Maha Sivarathiri festival conducted on 07.03.2016 and 08.03.2016. The allegation is against the respondent police stating that she had permitted the private respondents to perform the Pooja, when they were not allowed to perform Pooja. However, on a reading of the Judgment of the Division Bench, we do not find any specific direction to the said fact, except the fact that the agreement between the parties in a Peace Committee has been referred to and extracted in the order and direction has been issued to the officials and the police to take all possible steps to conduct the festival in a peaceful manner and maintain law and order.

3. Admittedly, the festival is over and the festival during the year 2017 is over which is said to have conducted by the Hindu Religious and Charitable Endowment Department. Therefore, we find at this juncture that initiation of proceedings of contempt has become academic. We make it clear that in the event, the officials of the H.R. & C.E. Department are of the view that allowing the general public of the area to perform festivals and Poojas would invite law and order problem, it will be better for the H.R. & C.E. Department themselves to nominate an official and Archakars to perform the Pooja and conduct the festival.

4. With the above observations, this contempt petition is disposed of.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

Sub Inspector of Police,
Chinthamanipatti Police Station,
Varavanai, Kadavur, Kulithalai Taluk,
Karur District.

+1 CC to M/s.AN.RAMANATHAN, Advocate, SR No. 58583

LS/AKV

PSM/KKR/SAR1/09.06.2017/2P/3C

CONT. P. (MD) No.379 of 2016**in****W.A. (MD) No.364 of 2016****02.06.2017**