

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.8532 of 2014 &
M.P.Nos.1 and 2 of 2014

V.Govindasamy

.. Petitioner

Vs.

1. The Revenue Divisional Officer-cum-Sub Divisional Magistrate,
Tiruchengode,
Namakkal District.
2. The Executive Magistrate /
Tahsildar,
Tiruchengode,
Namakkal District.
3. The Joint Commissioner,
Hindu Religious Charitable and
Endowment Administration Department,
Salem.
4. The Assistant Commissioner,
A/m.Arthanareeswarar Temple,
Special Officer for thirupani work
in A/m.Periya Oomkaliasman Thirukovil,
Tiruchengode,
Namakkal District.
5. The Deputy Superintendent of Police,
Tiruchengode Sub Division,
Tiruchengode, Namakkal District.
6. T.A.Sethupathi Ramalingam,
Trustee, A/m.Periya Ohmkaliasman Temple,
Namakkal Road, Tiruchengode - 637 211.
Namakkal District.
7. T.S.Thangavel
8. N.Balusamy
9. S.Chandrasekaran

.. Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 1 to 5 to ensure maintenance of law and order, public tranquility, and avoid communal disharmony by preventing the respondents 6 to 9 from conducting the yearly Panguni Kundam festival between 31.03.2014 and 10.04.2014 at A/M. Periya Ohm Kaliyamman Temple, Tiruchengode, Namakkal District in compliance with the order dated 10.03.2014 made in Na.Ka.No.366/2014-C passed by the first respondent till the completion of Thirupani work by considering the representation dated 15.03.2014.

For Petitioner : Mr.N.Manokaran

For Respondents : Mr.V.Shanmuga Sundar
Special Government Pleader
for R1, R2 and R5

Mr.M.Maharaja
Special Government Pleader (HR & CE)
for R3 & R4

Mr.M.Devaraj for R6

Mr.P.Valliappan for R7, R8 and R9

O R D E R

Heard Mr.N.Manokaran, learned counsel for the petitioner; Mr.V.Shanmuga Sundar, learned Special Government Pleader for the respondents 1, 2 and 5; Mr.M.Maharaja, learned Special Government Pleader (HR & CE) for the respondents 3 and 4; Mr.M.Devaraj, learned counsel for the sixth respondent; and Mr.P.Valliappan, learned counsel for the respondents 7, 8 and 9 and perused the records.

2. The Writ Petition has been filed for issuance of Mandamus, directing the respondents 1 to 5 to ensure maintenance of law and order, public tranquility, and avoid communal disharmony by preventing the respondents 6 to 9 from conducting the yearly Panguni Kundam festival between 31.03.2014 and 10.04.2014 at A/M. Periya Ohm Kaliyamman Temple, Tiruchengode, Namakkal District in compliance with the order dated 10.03.2014 made in Na.Ka.No.366/2014-C passed by the first respondent till the completion of Thirupani work by considering the representation dated 15.03.2014.

3. The learned Special Government Pleader (HR & CE) for the respondents 3 and 4 submitted that pursuant to the

order of the Revenue Divisional Officer, dated 10.03.2014 issued in Na.Ka.No.366/2014-C, the fit person of Arulmighu Periya Om Kalamman Temple has not performed any festival, including, Kundam.

4. The learned Special Government Pleader further submitted that reiterating the order dated 10.03.2014, the present Revenue Divisional Officer, Thiruchengode has issued an order dated 08.03.2018. It is further submitted that tense situation is prevailing in that locality and therefore, the fit person has no proposal to conduct any other festival, before Kumbabishegam.

5. Recording the submission of the learned Special Government Pleader, the Writ Petition is closed. However, after performing Kumbabishegam, if conducive situation prevails, the authorities are permitted to perform regular festivals. There is no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

r n s
To

1. The Revenue Divisional Officer-cum-
Sub Divisional Magistrate,
Tiruchengode,
Namakkal District.
2. The Executive Magistrate /
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Tiruchengode, Namakkal District.
3. The Joint Commissioner,
Hindu Religious Charitable and
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4. The Assistant Commissioner,
A/m.Arthanareeswarar Temple,
Special Officer for thirupani work
in A/m.Periya Oomkalamman Thirukovil,
Tiruchengode, Namakkal District.

5. The Deputy Superintendent of Police,
Tiruchengode Sub Division,
Tiruchengode, Namakkal District.

+1cc to Mr.N.Manokaran, Advocate, S.R.No.20245
+1cc to Mr.P.Valliappan, Advocate, S.R.No.20521
+1cc to the Government Pleader, S.R.No.20952

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CS/02/04/18



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