IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 20.06.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

W.P.No.14936 of 2018
and
WMP.No.17659 of 2018

Sri Ponniamman Temple
and Sri Gangaimman Temple
Administration Trust situated at
Hyderpuram Village, Pasumathoor Village,
Gudiyatam Taluk, Vellore District
Pin Code - 635 803
Represented by its President
M.Sivakumar .. Petitioner

Versus

1.State of Tamil Nadu
Rep. by its Secretary to Government
Home Department
Fort St.George, Chennai-600 009.

2.The District Collector
Vellore District.

3.The District Revenue Officer
District Collector Office
Vellore District.

4.The Superintendent of Police
Vellore District.

5.The Inspector of Police
K.V.Kuppan
Vellore District.

6.R.Baskaran

7.R.Purusothaman

8.N.Babu ... Respondents

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Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Mandamus, directing the respondents 1 to 5 herein to consider the petitioner's representation dated 12.06.2018 and consequently, direct the respondents 1 to 5 restraining the respondents 6 to 8 from conducting festivals on 22.06.2018 and 24.06.2018 at Sri Gangai Amman Temple, administered by the petitioner trust situated at Hyderpuram Village, Pasumathoor Village, Gudiyatam Taluk, Vellore District - 635 803.

For Petitioner : Mr.J.Prakasam
For Respondents : Mr.D.Raja
Additional Government Pleader
for R1 to R5

O R D E R

This writ petition has been filed seeking a direction to the respondents 1 to 5 herein to consider the petitioner's representation dated 12.06.2018 and consequently, direct the respondents 1 to 5 restraining the respondents 6 to 8 from conducting festivals on 22.06.2018 and 24.06.2018 at Sri Gangai Amman Temple, administered by the petitioner trust situated at Hyderpuram Village, Pasumathoor Village, Gudiyatam Taluk, Vellore District - 635 803.

2. On a reading of the affidavit, it appears that there is a dispute between the petitioner and the respondents 6 to 8 in respect of the Management of Sri Ponniamman Temple and Sri Gangaiamman Temple, Hyderpuram Village, Pasumathoor Post, Gudiyatham Taluk, Vellore District. It is the case of the petitioner that they are the original Trustees and that the rivals namely the respondents 6 to 8 wanted to conduct the temple festival on 22.06.2018 and 24.06.2018. Therefore, this writ petition has been filed for a direction to the police not to permit the respondents 6 to 8 from conducting the temple festival.

3. Heard Mr.J.Prakasam, learned counsel for the petitioner, who submitted that a peace meeting was held by the Revenue Divisional Officer, in which, the revenue authorities had advised the respondents 6 to 8 not to conduct the festival.

4. In the opinion of this Court, the right to conduct the festival is a Civil right and not a constitutional right. Hence, this Court cannot issue a writ of mandamus as prayed for by the petitioner.

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However, this Court directs the respondent police to ensure that there is no law and order problem in the area and take firm action against any party, who breaches peace.

With the above direction, this petition is closed. Consequently,connected miscellaneous petition is closed.No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

MK

To

1.The Secretary to Government
State of Tamil Nadu
Home Department
Fort St.George, Chennai-600 009.

2.The District Collector
Vellore District.

3.The District Revenue Officer
District Collector Office
Vellore District.

4.The Superintendent of Police
Vellore District.

5.The Inspector of Police
K.V.Kuppan
Vellore District.

W.P.No.14936 of 2018

NMI(CO)
BM 02/07/2018

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