



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 19.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
W.P. (MD) No.7770 of 2018

WEB COPY

V.Sangilimuthu

... Petitioner

vs.

1.The District Collector,
Karur.

2.The Tahsildar,
Kulithalai Taluk,
Karur District.

3.The Superintendent of Police,
Karur.

4.Janagi Raman

5.M.Kumaresan

... Respondents

(R-5 impleaded vide order of this Court, passed in
W.M.P. (MD) .No.8230/18 in W.P. (MD) .No.7770/18)

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 and 3 to give adequate police protection to the "Sagunam Ketkum Nigazchi" festival of Sri Bhagavathi Amman Temple, Tellungapatti, Kulithalai Taluk, Karur District, to be held on 22.04.2018.

For Petitioner : Mrs.Lakshmi Gopinathan(For Pox legal Solution)

For Respondents : Mr.M.Karuppasamy
Govt. Advocate for RR-1 to 3
Mr.R.Murugappan for R-4
Mr.R.Murali for impleaded respondent-5

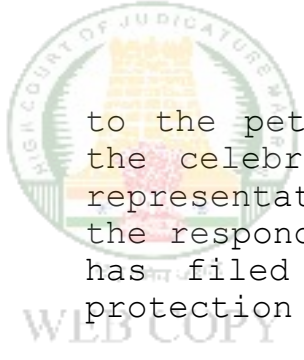
O R D E R

This petitioner has filed the present writ petition for issuance of a Writ of Mandamus, directing the respondents 1 and 3 to give adequate police protection to the "Sagunam Ketkum Nigazchi" festival of Sri Bhagavathi Amman Temple, Tellungapatti, Kulithalai Taluk, Karur District, to be held on 22.04.2018.

2.By consent of both parties, the writ petition itself is taken up for final disposal.

3.Heard the learned counsel appearing for both parties.

3.According to the petitioner, from the year 2013 onwards, the fourth respondent started to give false complaints against the management of the temple to various authorities, as if there is caste discrimination in the temple and in the year 2013, an enquiry was conducted by the District Collector through the Tahsildar. Thereafter, all are permitted to worship in the temple. According



to the petitioner, in order to avoid any communal problem, during the celebration of festival to be held on 22.04.2018, he made a representation to the respondents 1 and 3 on 06.04.2018, but, so far, the respondents have not considered the same. Hence, the petitioner has filed the present writ petition to give adequate police protection for conduct of the festival.

4.Mr.R.Murugappan, learned counsel appearing for the fourth respondent would submit that the fourth respondent has no objection, if the festival is conducted by the Officers of the Hindu Religious and Endowment Department. But the learned counsel for the fourth respondent emphasizes before this Court that the fourth respondent and his community people shall enter into the temple and participate in worshipping the deity of the temple and if permission is granted for that, the fourth respondent cannot have any serious objection for conducting the festival.

5.At this stage, Mr.R.Murali, learned counsel appearing for the newly impleaded fifth respondent viz., Mr.Kumaresan, has also agreed that if the Officers of the Hindu Religious and Endowment Department are conducting the festival, he has no objection, provided that the petitioner shall not claim any legal right to conduct the festival.

6.The learned counsel for the petitioner also undertakes that the legal rights of the petitioner for claiming right of conducting the festival can be adjudicated before the appropriate forum, without prejudice to their rights. The petitioner has also no objection, for the forthcoming festival to be conducted on 22.04.2018, by the Officers of the Hindu Religious and Endowment Department.

7.By recording the aforesaid submissions made by the learned counsel for the parties, this Court is inclined to direct the Inspector of Temples, Hindu Religious and Charitable Endowment Department, Kulithalai to conduct the festival of Sri Bhagavathi Amman Temple, Tellungapatti, Kulithalai Taluk, Karur District, to be held on 22.04.2018 and permit all the worshippers in the temple. If necessary, the aforesaid Inspector can seek the assistance of the Police, during the festival time. All the parties have made an assurance that they will maintain law and order, during the aforesaid period. The aforesaid present interim arrangement shall be made, without prejudice to the rights of the parties concerned, to adjudicate their rights before the appropriate forum.

8.With the above observation, this writ petition is disposed of. No costs.

Sd/
Assistant Registrar (AD-II)

/True copy/



To

1.The District Collector,
Karur.

2.The Tahsildar,
Kulithalai Taluk,
Karur District.

3.The Superintendent of Police,
Karur.

4.The Inspector of Temples,
Hindu Religious and Charitable Endowment Department,
Kulithalai.

+1cc to M/S.POLAX LEGAL SOLUTIONS, Advocate, SR.No.62284

+1cc to Mr.R.MURUGAPPAN, Advocate, SR.No.62295

+1cc to Mr.R.MURALI, Advocate, SR.No. 62420

+1cc to M/s.Special Government Pleader,SR.No. 62448

W.P. (MD)No.7770 of 2018
19.04.2018

VS

KK/SV MMS/20.04.2018/SAR-2/3P-9C