



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2018

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.2717 of 2018

C.Ramakumar

... Petitioner

-Vs-

1.The Superintendent of Police,
Sivagangai District.

2.The Deputy Superintendent of Police,
Karaikudi Taluk, Sivagangai District.

3.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to grant necessary permission to conduct the Annathanam function at Kandanoor Sri Ayyanar Kovil at Kandanoor on 13.02.2018 and also to provide adequate police protection on the basis of petitioner's representation dated 07.02.2018.

For Petitioner : Mr.M.Shakul Hameed

For Respondents : Mr.N.Shanmuga Selvam

Special Government Pleader

O R D E R

This writ petition has been filed to direct the third respondent to give permission for performing "Annathanam" function at Kandanoor Sri Ayyanar Kovil at Kandanoor on 13.02.2018 and also to provide police protection, based on the representation submitted by the petitioner, dated 07.02.2018.

2.Heard Mr.M.Shakul Hameed, learned counsel appearing for the petitioner and Mr.N.Shanmuga Selvam, learned Special Government Pleader appearing for the respondents.

3.The learned counsel appearing for the petitioner has submitted that the aforesaid temple belongs to Nattar community and every year the petitioner used to performing "Annathanam" function, during the Sivarathri. He further submitted that in this year also, the petitioner wants to perform "Annathanam" function and hence, he submitted a representation before the third respondent on 07.02.2018, but sofar, no action has been taken.



4.The learned Special Government Pleader has submitted that there are two groups in the Kandanoor village and both of them are claiming right to perform "Annathanam" function and hence, the third respondent is keeping the petition, without passing any order.

5.Mr.K.Balasundharam, learned counsel represented that he has been instructed by one K.Lakshmanan to file an intervening application. He further submitted that the said K.Lakshmanan is the trustee of the said temple and only the said K.Lakshmanan is having right to perform "Annathanam" function in the said temple and hence he is opposing this application.

6.Since Sivarathri falls on 13.02.2018 (Tomorrow), if this writ petition is adjourned to enable the said K.Lakshmanan for filing party implead petition, then the writ petition itself would become infructuous. Hence, this Court is of the view that this petition to be disposed of by directing the parties to approach the third respondent. Further, the petitioner himself has asked only a limited relief to direct the third respondent to grant permission to the petitioner for conducting "Annathanam" function. Hence the third respondent is directed to consider both side's submissions and pass an appropriate order.

7.With the aforesaid observations, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Karaikudi Taluk, Sivagangai District.
- 3.The Inspector of Police,
Sakkottai Police Station,
Sivagangai District.

+1cc to M/S.M.Shakul Hameed, Advocate SR.No. 47734
+1cc to M/S.K.Balasundharam, Advocate SR.No. 47913

W.P. (MD) No.2717 of 2018
12.02.2018

cp

JM/SV MMS/SAR 4/12.02.2018/2P/6C

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