



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 27.08.2018
CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

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W.P. (MD) No.18627 of 2018
and W.M.P. (MD) No.16495 of 2018

S.Sonaimuthu

: Petitioner

Vs.

- 1.The Hindu Religious & Charitable
Endowments Administration Department,
Rep by its Commissioner,
Gandhi Road, Nungambakkam,
Chennai.
- 2.The Assistant Commissioner,
Hindu Religious & Charitable
Endowments Administration Department,
Pudukkottai,
Pudukkottai District.
- 3.The Superintendent of Police,
O/o. the Superintendent of Police,
Pudukkottai, Pudukkottai District.
- 4.The Inspector of Police,
Memisal Police Station,
Memisal,
Pudukkottai District.
- 5.The Arul Migu Thiruvettazhagiya Ayyanar Temple,
Rep by its executive officer,
Peyaadikottai Village,
Adampur Post,
Avudaiyarkovil Taluk,
Pudukkottai District.
- 6.Shanmugasundaram
- 7.Muthuchamy
- 8.Tamil selvan
- 9.Muthu Vairavan

: Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus, directing the respondent Nos.1 to 4 not to permit the respondent Nos.5 to 9 to conduct the Aadi Festival in the Arul Migu Thiruvettazhagiya Ayyanar Temple



scheduled in the month of August 2018 or any other date without the participation of the petitioner and his Scheduled caste community members and consequently direct the respondent Nos.1 to 4 to permit the petitioner's community people to conduct ritual namely 'Mandagapadi', in the Temple Festival proposed to be conducted in the tamil month of Chitirai April-May 2019 and the following years in future in Arul Migu Thiruvettazhagiya Ayyanar Temple Peyaadikottai Village, Adampur Post, Avudaiyarkovil Taluk, Pudukkottai District.

For Petitioner	: Mr.T.Lajapathi Roy
For R1 to R4	: Mr.B.Bhagawathi Government Advocate
For R5	: Mr.G.Mathavan
For R6 to R9	: Mr.M.Laxmi Mahendraa

ORDER

This Writ Petition has been filed for a direction to the respondent Nos.1 to 4 not to conduct Aadi festival at Arul Migu Thiruvettazhagiya Ayyanar Temple, without participation of the petitioner and the persons belonging to the Scheduled Caste community.

2.The learned counsel appearing for the petitioner would submit that the above said Temple is an ancient temple and the poojas are being conducted in the said temple from time immemorial, in which, the persons belonging to the entire village used to participate. Presently, certain persons belonging to a particular community are attempting to celebrate this festival by excluding the persons belonging to Scheduled Caste community in the said Village. The petitioner, who belonged to Scheduled Caste community, is aggrieved by such step-motherly treatment and therefore, he has approached this Court to permit all the persons belonging to the village, irrespective of their community, to participate in the festival.

3.The learned counsel appearing for the fifth respondent, who is the Executive Officer of the temple, submitted that this Court has already passed an order in W.P.(MD)No.17481 of 2018, dated 13.08.2018, wherein this Court has held as follows:

"3.Today, when the matter is taken up for hearing, it is submitted that the Tahsildar, Aavudayarkovil Taluk, Pudukkottai District has conducted a peace committee meeting on 11.08.2018 with regard to conduct of the adi festival and in the said meeting all the stakeholders have agreed to conduct the Adi Thiruvizha in Arulmigu Thiruvetazhagiya Iyyanar Temple, Peyadikottai, Aavudayarkovil Taluk, Pudukkottai District through the Executive Officer, the second respondent herein. It is also agreed by the parties that no one will give preferential respect in the festival, which is to be conducted this month.



4. In view of the above, the fourth respondent is directed to provide adequate police protection for the smooth conduct of the festival. The parties are also directed not to create any untoward incident or cause any disturbance to the public peace and tranquility."

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4. The learned counsel for the fifth respondent by pointing out the above said order has submitted that all the villagers, irrespective of their caste or community, will be permitted to participate in the temple festival.

5. The learned counsel appearing for the respondent Nos. 6 to 9 also has adopted the same stand that was taken by the fifth respondent.

6. The learned Government Advocate appearing for the respondent Nos. 1 to 4 submitted that the Police will ensure that all the persons belonging to the village participate in the festival, irrespective of their caste or community they belonging to.

7. This Court has already passed an order on 13.08.2018 and has directed the Police to provide adequate protection for the smooth conduct of the festival. In view of the stand taken by the respondent Nos. 5 to 9, all the villagers shall be permitted to participate in the Adi festival in Arul Migu Thiruvettazhagiya Ayyanar Temple, scheduled to be held from 30.08.2018 to 02.09.2018, irrespective of their caste, creed or community.

8. This Court again reiterate the direction given in W.P. (MD) No. 17481 of 2018 and direct the respondents / Police to provide adequate protection for the smooth conduct of the festival and the parties concerned shall not create any untoward incident or cause any disturbance to the public peace and tranquility.

9. With the above directions, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

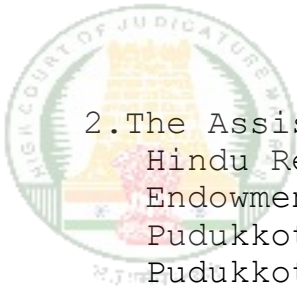
Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Hindu Religious & Charitable
Endowments Administration Department,
Rep by its Commissioner,
Gandhi Road, Nungambakkam,



2.The Assistant Commissioner,
Hindu Religious & Charitable
Endowments Administration Department,
Pudukkottai,
Pudukkottai District.

3.The Superintendent of Police,
O/o. the Superintendent of Police,
Pudukkottai, Pudukkottai District.

4.The Inspector of Police,
Memisal Police Station,
Memisal,
Pudukkottai District.

+1cc to M/S.T.Lajapathi Roy, Advocate SR.No. 80395

+2cc to M/S.G.Mathavan, Advocate SR.No. 80455

+1cc to Special Government Pleader, SR.No. 80642

W.P. (MD) No.18627 of 2018
27.08.2018

gns

JM/SKN RSK/SAR 4/28.08.2018/4P/9C