



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.(MD) No.20244 of 2018

and

W.M.P.(MD) No.18009 of 2018

P.Vadivel
S/o.Periyasamy Chettiar
Meenakshi Amman Kovil Street
Thuvarankuruchi
Tiruchirappalli District
President, Indhu Valibar Sangam
A/M.Sri Boothanyaki Amman Thirukovil
Marungapuri Taluk
Tiruchirappalli District

... Petitioner

vs.

1.The Joint Commissioner
Hindu Religious Charitable
and Endowments Board
Tiruchirappalli

2.The Executive Officer
A/M.Sri Boothanyaki Amman Thirukovil
Marungapuri Taluk
Tiruchirappalli District

3.K.V.Sridharan

4.N.Veeraiya

5.K.Saravanan

6.A.P.K.Venkatesan

7.A.Thirumalai Swaminathan

8.K.M.Karthikeyan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents 1 and 2 to protect the interest of petitioner sangam viz "Indhu Valibar Sangam" (Original Indhu Youths Sangam) in the conduct of the 1st day of Mandagapadi festival in Arulmigu Sri Boothanayagi Amman Thirukovil, Thuvarankuruchi, Marungapuri Taluk, Tiruchirappalli District schedule to be celebrated on 25.09.2018 and the same



festival in the succeeding years by preventing all opposing activities of the respondents 3 to 8 constituting in the rival group of (Indhu Youths Sangam).

For Petitioner : Mr.S.K.Mani
For Respondents : Mr.R.Muthu Karuppan
Additional Government Pleader for R1
Mr.AN.Ramanathan for R2
Mr.R.Sundar for R3 to R8

O R D E R

The prayer in this writ petition is for issuance of a writ of mandamus directing the respondents 1 and 2 to protect the interest of the petitioner - Sangam in the conduct of the first day of Mandagapadi Festival in Arulmigu Sri Boothanayagi Amman Thirukovil, Thuvarankuruchi, Marungapuri Taluk, Tiruchirappalli District, scheduled to be celebrated on 25.09.2018 and also in the succeeding years by preventing the rival group, namely, respondents 3 to 8.

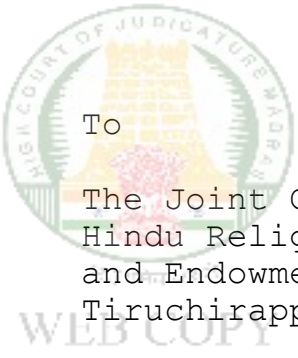
2. From the materials and the pleadings as disclosed in the affidavit and the documents filed in support of the writ petition, it appears that the petitioner - Sangam, which is an unregistered body, has some grievance as against the respondents 3 to 8 in conducting Temple festival in the Tamil month of Purattasi. The celebration is to take place from 25.09.2018 onwards.

3. First of all, this Court does not understand as to how an unregistered body can maintain a writ petition before this Court. On this ground alone, this writ petition is liable to be dismissed as not maintainable. Further, it is to be seen that the petitioner is claiming itself to be a Sangam as against the formation of the other Sangam in the same name by the private respondents and the relief sought in this writ petition is to prevent the rival Sangam from performing various rituals in the ensuing Temple festival in the Tamil month of Purattasi. The said dispute falls completely within the realm of private dispute as between the petitioner and the private respondents and the same cannot be brought for adjudication in the ambit of writ jurisdiction. For this reason also, this writ petition is liable to be dismissed.

4. Accordingly, the writ petition stands dismissed as not maintainable. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar(Crl Side)

/True copy/



To

The Joint Commissioner,
Hindu Religious Charitable
and Endowments Board,
Tiruchirappalli.

+1cc to Mr.AN.RAMANATHAN, Advocate, SR.No.86101
+1cc to Mr.S.K.Mani, Advocate, SR.No.86958
+1cc to M/s.Special Government Pleader, SR.No. 86247

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