

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:04.02.2019
CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.2641 of 2019

M.Purushotham
S/o.Munirraji Mandiri

... Petitioner

Vs.

- 1.The Deputy Superintendent of Police,
Sathuvacheri,
Vellore District.
 - 2.The Deputy Superintendent of Police,
Gudiyatham,
Vellore District.
 - 3.The Inspector of Police,
K.V.Kuppam Police Station,
Katpadi Taluk,
Vellore District.
- ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the respondents to give permission and protection to the petitioner to conduct Kumbabishekam festival on 10.02.2019 for the 'Sri Valampuri Selva Vinayagar', 'Sri Balamurugar', 'Navagrahas Sabdhamadhakal' and 'Raja Kaliamman Temple' at K.A.Mottur Village , Keel Alathur, Madhura, Kudiyatham Taluk, Vellore District.

For Petitioners : Mr.D.Rajagopal
For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl.side)

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O R D E R

This writ petition has been filed seeking direction to the respondents to provide Police protection to the petitioner to conduct Kumbabishekam festival on 10.02.2019 of Sri Valampuri Selva Vinayagar, Sri Balamurugar, Navagrahas, Sabdhamadhakal and Raja Kaliamman Temple at K.A.Mottur Village , Keel Alathur, Madhura, Kudiyatham Taluk, Vellore District.

2.The petitioner is a resident of K.A.Mottur Village, Gudiyatham Taluk, Vellore District and he is the President of the temple situated at Keel Alathur Mathura, Gudiyatham Taluk, Vellore District. Since the temples viz., Sri Valampuri Selva Vinayagar, Sri Balamurugar, Navagrahas, have been completed 12 years of their inauguration, it was unanimously decided to celebrate the 12th year of temple's inauguration and to conduct Maha Kumbabishegam on 10.02.2019. Whiles, due to difference of opinion between two groups regarding conduct of kumbabishegam, the rival parties were creating disturbance for conducting the said Kumbabishegam. Therefore, a peace meeting was conducted before the Tahsildar, Katpadi and it was resolved that every year, on the first day of Chithirai, the festival will be conducted under the Presidentship of the petitioner and in the month of Panguni, the other group may conduct the temple festival and the same was not accepted by the rival parties and were creating disturbance and causing panic among the villagers and the public. Hence, the petitioner lodged a complaint before the 3rd respondent on 09.12.2018. However, the 3rd respondent did not respond, but issued CSR No.255 of 2018. Hence, the petitioner is before this Court seeking direction to the 3rd respondent to give permission and to provide police protection for the conduct of Kumbabishegam on 10.02.2019.

3.Heard Mr.D.Rajagopal, learned counsel appearing for the petitioner and Mr.T.Shunmugarajeswaran, learned Government Advocate (Crl.side), appearing for the respondents Police.

4. Admittedly, there is a dispute between the petitioner and other group with regard to conduct of the Kumbabishegam. However, during the year 2007, a peace meeting was conducted in between the parties and it was decided that the festival in the month of Thai shall be conducted by the petitioner and the festival in the month of 'Panguni' shall be conducted by the rival party.

5.Considering the above facts and circumstances of the case, the 3rd respondent is directed to consider the representation given by the petitioner and pass appropriate orders in accordance with law. It is open to the 3rd respondent to impose any reasonable conditions in order to ensure that the Kumbabishegam is conducted in a peaceful manner without giving rise to any law and order problem. The petitioner has to comply with the conditions imposed by the 3rd respondent.

6.With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Deputy Superintendent of Police,
Sathuvacheri,
Vellore District.
- 2.The Deputy Superintendent of Police,
Gudiyatham,
Vellore District.
- 3.The Inspector of Police,
K.V.Kuppam Police Station,
Katpadi Taluk,
Vellore District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr. D.Rajagopal, Advocate SR.No. 9433

A.SK(05/02/2019)

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सत्यमेव जयते

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