

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2019

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P..No.5315 of 2018
and
WMP Nos.6539 and 6540 of 2018

A.Natarajan

... Petitioner

Vs.

1. The Revenue Division Officer,
Attur,
Salem District.

2.The Thasildar,
Gangavalli Taluk,
Salem District.

3.The Inspector of Police,
Veeraganur Police Station,
Salem District.

4.Ramasamy

.... Respondents

Prayer:writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified mandamus to call for the records of the impugned order in Na.Ka.No.588/2018/A2 dated 17.02.2018 passed by the first respondent and quash the same and consequently direct the first and second respondents to permit the petitioner to conduct the pongal festival in the temple namely Sri Kaliyamman temple, situated at Veppampoondi village, Gangavalli Taluk, Salem District.

For Petitioner : Mr.M.Rajendran

For Respondents : Mr.S.N.Parthasarathy

Government Advocate for R1 to R3

Mr.R.Kannadasan for R4

O R D E R

The petitioner is aggrieved against the first respondent dated 17.03.2018 refusing permission to conduct temple festival

at Sri Kaliyamman temple situated at Veppampoondi Village, Gangavalli Taluk, Salem District, on the reason that a civil suit is pending between the petitioner and the fourth respondent on the file of the District Munsif Court, Attur in O.S.No.36 of 2017.

2. Perusal of the plaint filed in the said suit would show that the fourth respondent herein as the plaintiff seeks certain right to perform as poojari of the said temple. Needless to say that when the civil suit is pending between the parties touching upon the right to perform such festival, it is for the said Civil Court to consider the issue and pass judgment and decree on merits and in accordance with law. Therefore, without expressing any view on the merits of the claim made by the petitioner, this writ petition is disposed of by directing the District Munsif Court, Attur, to take up O.S.No.36 of 2017 and dispose of the same on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order. No costs. The connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Revenue Division Officer,
Attur,
Salem District.

2. The Thasildar,
Gangavalli Taluk,
Salem District.

3. The Inspector of Police,
Veeraganur Police Station,
Salem District.

4. The District Munsif,
Attur.

+lcc to Government Pleader sr.30813

W.P.No.5315 of 2018

ssv(co)
nr 09/05/2019