

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.11.2019
CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU
W.P. Nos. 5723 and 6006 of 2019
and
W.M.P. Nos. 6518, 6828 and 6829 of 2019

W.P. No. 5723 of 2019:-

R. Anand

... Petitioner

-vs-

1. The Revenue Divisional Officer,
Salem Division,
Salem District.
2. The Assistant Commissioner of Police,
Hasthampatti,
Salem 7.
3. Indirani

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration, declaring the action of the Revenue Divisional Officer, Salem Division, Salem District, the First Respondent herein in not permitting the Petitioner and his agnates to perform the Temple festival for "Arulmigu Sri Angalamman Thirukkivil" situated in T.S. No. 128, at Ward J, Block 9, East Street 3, Johnson Nagar, Hastampatty, Salem 7 as illegal, arbitrary unreasonable being violative of rules and principles of natural justice and thereby direct the First Respondent to permit the Petitioner and his agnates to perform the Temple festival for "Arulmigu Sri Angalamman Thirukkivil" situated in T.S. No. 128, at Ward J, Block 9, East Street 3, Johnson Nagar, Hastampatty, Salem 7 pursuant to the Decree and Judgment made in O.S. No. 196 of 2011 dated 10.10.2018 on the file of the learned II Additional District Munsif, Salem.

For Petitioner : Mr. A.R. Suresh
For Respondents: Mr. R. Venkatesh, (for R1 & R2)
Government Advocate
Mr. A. Manoj Kumar (for R3)

W.P. No. 6006 of 2019:-

R. Anand

... Petitioner

-vs-

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

2. Rajammal

3. Lakshmi

4. Kulandaiammal

5. Parvathi

6. Indirani

7. Angamuthu

8. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Salem.

9. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Salem.

... Respondents

(R8 & R9 are impleaded as per the order
made in W.M.P. No. 23714/2019 dated 13.08.2019)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records on the file of the Revenue Divisional Officer, Salem Division, Salem District, the First Respondent herein pertaining to the order in Na.Ka. 1127/2017/A2 dated 22.02.2019 and signed on 26.02.2019 and quash the same as illegal, arbitrary unreasonable being violative of rules and principles of natural justice and thereby direct the First Respondent to permit the Petitioner and his agnates to perform the Temple festival for "Arulmigu Sri Angalamman Thirukkovil" situated in T.S. No. 128, at Ward J, Block 9, East Street 3, Johnson Nagar, Hastampatty, Salem 7 pursuant to the

Decree and Judgment made in O.S. No. 196 of 2011 dated 10.10.2018 on the file of the learned II Additional District Munsif, Salem.

For Petitioner : Mr. A.R. Suresh

For Respondents: Mr. E. Neelakandan, (for R1)
Government Advocate

Mr. A. Manoj Kumar (for R2 to R7)

Mr. M. Maharaja, (for R1 & R2)
Special Government Pleader (HR & CE)

C O M M O N O R D E R

Though the Writ Petitions question the orders passed by the Revenue Divisional Officer refusing permission to conduct the Masi Amavasai festival for the year 2019 which has lapsed, Learned Counsel for both sides submit that the parties have arrived at an understanding to conduct that festival, viz., Masi Amavasai, which falls in March 2020, through the jurisdictional Assistant Commissioner, Hindu Religious and Charitable Endowments Department, Government of Tamil Nadu and they have filed affidavits dated 13.08.2019 to that effect, which are placed on record.

2. Recording the aforesaid subsequent events, the Writ Petitions are disposed. It is made clear that if any of the parties still have any grievance to be redressed, it would be open to them to pursue their legal remedy for necessary relief before the competent forum in the manner recognized by law. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-

सत्यमेव जयते Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

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

2. The Assistant Commissioner of Police,
Hasthampatti,
Salem 7.

3. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Salem.

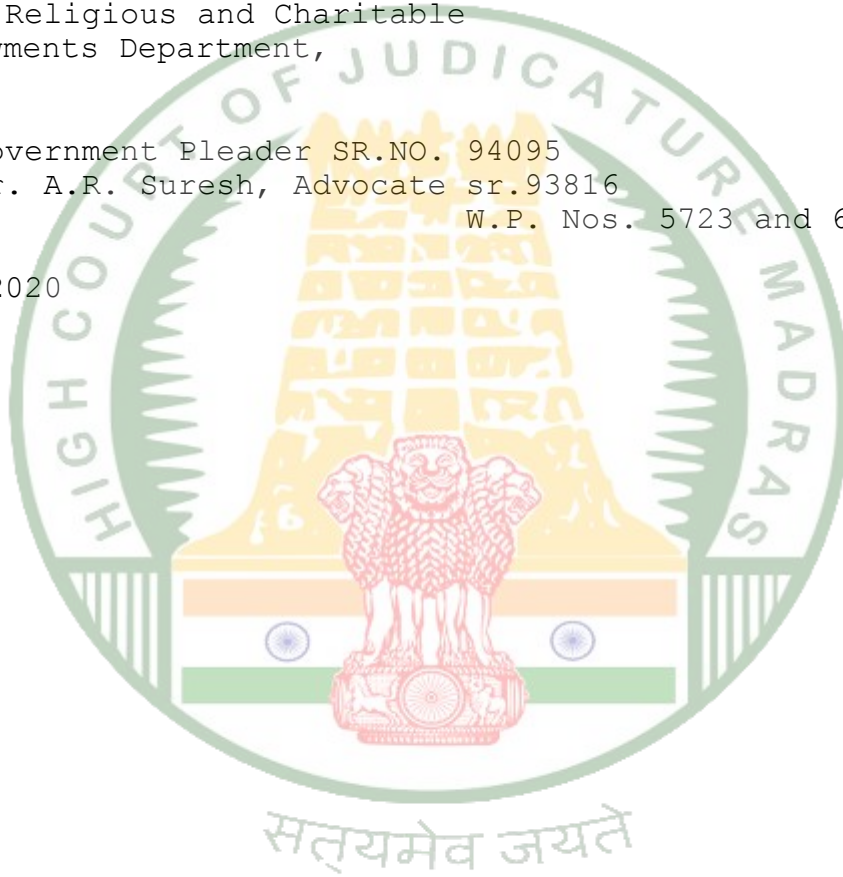
4. The Assistant Commissioner,
Hindu Religious and Charitable
Endowments Department,
Salem.

+lcc to Government Pleader SR.NO. 94095

+lcc to Mr. A.R. Suresh, Advocate sr.93816

W.P. Nos. 5723 and 6006 of 2019

nr 11/02/2020



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