

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 04.04.2019

CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.10044 of 2019

Madappan

...Petitioner

Vs.

1.The District Collector
Erode District
Erode.

2.The Revenue Divisional Officer
Sathiyamangalam Main Road
Gobichettipalayam.

3.The Tashildar
Anthiyur Town
Bargur Main Road
Anthiyur, Anthiyur Post
Erode District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 08.10.2018 regarding Chithirai Kundam Festival, which is decided to be conducted from 21.04.2019 to 23.04.2019.

For Petitioner : Mr.S.P.Yuaraj

For Respondents: Mr.S.N.Parthasarathy
Government Advocate

O R D E R

Mr.S.N.Parthasarathy, learned Government Advocate takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to consider and pass orders on his representation dated 08.10.2018, wherein and whereby, he sought for permission to conduct Chithirai Kundam Festival, which is scheduled to be conducted from 21.04.2019 to 23.04.2019.

3. The petitioner is one of the committee member of the Arulmigu Padagal Madheswara Temple, Solaganai Forest Settlement, Bargur 'A' Village, Anthiyur Taluk, Erode District. It is stated that the committee members have decided to conduct Chithirai Tiruvizha Festival from 21.04.2019 to 23.04.2019 in the above said Temple. It is further stated that the 1st respondent has not permitted the villagers to conduct the festival. It is further stated that earlier a writ petition in WP.No.15030 of 2015 was filed before this Court and this Court by an order dated 28.05.2015 directed the 1st respondent to pass orders based on the report of the 3rd respondent-Tashildar, Anthiyur Taluk, Erode District. It is further stated that the 3rd respondent suddenly on 15.06.2017, without informing the villagers conducted a peace committee meeting and decided to open the temple only for the public to worship and not to conduct any festival or daily poojas. Hence, the petitioner made a representation dated 08.10.2018 to the respondents, seeking permission to conduct Chithirai Tiruvizha Festival from 21.04.2019 to 23.04.2019 in the Arulmigu Padagal Madheswara Temple, Solaganai Forest Settlement, Bargur 'A' Village, Anthiyur Taluk, Erode District. The grievance of the petitioner is that even though the representation was made on 08.10.2018, the respondents has not considered the same so far. Hence, the present writ petition is filed before this Court with the relief as stated supra.

4. Heard both sides.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the respondents 2 & 3 to consider and decide the same on merits and in accordance with law. Thus, this writ petition is disposed of, only by directing the respondents 2 & 3 to consider the representation of the petitioner dated 08.10.2018 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to all the parties concerned, on or before 15.04.2019. No costs.

Sd/-

Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector
Erode District
Erode.

2.The Revenue Divisional Officer
Sathiyamangalam Main Road
Gobichettipalayam.

3.The Tashildar
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Erode District.

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SV (CO)

RRS (05/04/2019)



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