

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 23.05.2019

Coram

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.Nos.14856 and 14921 of 2019
and W.M.P Nos.14844 and 14896 of 2019

A.Azhagumuthu ... Petitioner in W.P.No.14856 of 2019
Varadaraj ... Petitioner in W.P.No.14921 of 2019

Vs.

1. The District Collector,
District Collector Office,
Perambalur District
2. The Revenue Divisional Officer
Revenue Divisional Office,
Perambalur
3. The Tahsildar,
Alathur Taluk,
Perambalur District
4. The Superintendent of Police,
Perambalur District
5. The Inspector of Police,
Padalur Police Station,
Perambalur District

..Respondents in W.P.No.14856 of 2019

WEB COPY

1. The Tahsildar,
Alathur Taluk,
Perambalur District
2. The Deputy Superintendent of Police
Perambalur District

3. The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department, Ariyalur
4. The Inspector of Police
Padalur Police Station,
Perambalur District
5. R.Muralidaran
6. Periyasamy
7. Nallusamy ...Respondents in W.P.No.14921 of 2019

Prayer in W.P.No.14856 of 2019: Writ Petition filed under Article 226 Constitution of India to issue a Writ of Mandamus directing the respondents to ensure the accessibility and deity worship of the Petitioner and his community members in 'Sri Selliamman Temple' at Naranamangalan Village.

Prayer in W.P.No.14921 of 2019: Writ Petition filed under Article 226 Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to allow the Annual temple festival of deities Vinayagar, Mariamman and selliaman upto 31.05.2019 for this year including the temple car festival on 29.05.2019 and also in future as contemplated in the Peace Committee Resolution dated 09.06.2018.

W.P.No.14856 of 2019
For Petitioner : Mr.G.Prabhu

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

W.P.No.14921 of 2019
For Petitioner : Mr.K.Sakthivel

For Respondents : Mr.A.N.Thambidurai for R1, 2 and 4
Special Government Pleader
Mr.M.Maharaja for R3

C O M M O N O R D E R

Since the issue involved in these Writ Petitions are one and same, they are taken up together and a common order is being passed.

2. The learned counsel for the petitioner in W.P.No.14856 of 2019 would contend that the member of their communities are not permitted to participate in the temple festival and though there was a Peace Committee Meeting, the said issue was not concluded. Now, the upper caste people are conducting the Temple Festival with regard to which HR & CE has no control and hence seeks for an injunction from carrying on the present temple festival. Another Writ Petition, viz., W.P.No.14921 of 2009, has been filed by the petitioner to continue the temple festival, which has already commenced on 03.05.2019.

3. Further, the learned counsel for the petitioner, viz., for Azhagumuthu in W.P.No.14856 of 2019 has expressed that they are concerned about the 'Thiruther Vadam Pidithal' which is scheduled on 29.05.2019; in respect of Selliamman Temple, 'Sri Selliamman Temple Festival', date has been scheduled on 24.05.2019 and in respect of other temple functions, they had already proceeded from 03.05.2019.

4. In this view of the matter, the learned Government Advocate for HR&CE would contend that the temple does not come under the purview of HR&CE. However, they will ensure through the Revenue Authorities and Police Authorities for peaceful conduct of the temple festival by the participation of all communities of the village. He further stated that the RDO has conducted a Peace Committee Meeting in the last year and last year function has been smoothly conducted and this year, there was no amicable settlement. Also, the Government Advocate for HR&CE would submit that the RDO, Perambalur has scheduled the meeting on 25.05.2019 and he is hopeful that Peace Committee Meeting will end in successful.

5. Considering the facts and circumstances of the case and taking note of the submissions on either side, Mr.M.Maharaja, learned Government Advocate for HR & CE is hereby instructed to prepone the enquiry, which is scheduled on 25.05.2019 to 24.05.2019 evening at 6.00 P.M. and all the respective learned Counsels shall inform the respective parties to participate before the RDO enquiry to be held on 24.05.2019 evening at 6.00 P.M., in connection with further festival, viz., 'Thiruther Vadam Pidithal' and this Court expresses its confidence upon the respective learned Counsels to see

that the Peace committee Meeting has been resolved for smooth conduct of festival.

With these observations and directions, both Writ Petitions stand disposed of. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Vacation officer

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Sub Assistant Registrar

ssd / jrs

To

1. The District Collector,
District Collector Office,
Perambalur District
2. The Revenue Divisional Officer
Revenue Divisional Office,
Perambalur
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4. The Superintendent of Police,
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7. The Assistant Commissioner,
Hindu Religious and Charitable Endowment
Department, Ariyalur
8. The Inspector of Police
Padalur Police Station,
Perambalur District

+1cc to Mr. G.Prabhu, Advocate SR.No. 44195

+1cc to Mr.K.Sakthivel , Advocate SR.No. 44196

W.P.Nos.14856 and 14921 of 2019
and W.M.P Nos.14844 and 14896 of 2019

A.SK(23/05/2019)