



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.03.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE N.SESHASAYEE**W.P. (MD) No. 7236 of 2019**

Dhanapal

... Petitioner

Vs.

1.The District Collector,
Pudukottai District, Pudukottai.

2.The Inspector of Police,
Vallathirakottai Police Station,
Pudukottai District.

3.The Assistant Electoral Officer,
31, Sivangangai Parliamentary Constituency,
182, Alangudi Legislative Constituency and
District Supply and Consumer Protection Officer,
Pudukottai.

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

5.Ponnaiah

6.Kumar

7.Ramaiah

8.N.R.Shanmugam

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, directing the second and third respondents to give permission and Police protection for bringing the deity "Mazhai Mariamman" from Senthakudi Village to Keelaiyur Village, Alangudi Taluk, Pudukottai District on 30.03.2019 and 31.03.2019 for celebration of Panguni Festival.

For Petitioner : Mr.A.K.Hemaraj

For R1 to R4 : Mrs.S.Bharathi

Government Advocate (Crl.Side)

For R5 & R7 : Mr.T.Lajapathi Roy

For R6 : Mr.S.Shanmugam

For R8 : Mr.K.N.Govardhanan

**ORDER**

There is a Temple practice in which during the Temple festival season the deity in Mazhai Mariamman Temple will be taken from Senthakudi Village to Keelaiyur Village, Alangudi Taluk, Pudukottai District.

2.The present petition is filed seeking a direction to the respondents 2 and 3 herein to bring him permission for the said purpose.

3.Heard Mr.A.K.Hemaraj, learned counsel, appearing for the petitioner, Mrs.S.Bharathi, learned Government Advocate (Crl. side) appearing for the respondents 1 to 4, Mr.T.Lajapathi Roy, learned counsel appearing for the respondents 5 and 7, Mr.S.Shanmugam, learned counsel, appearing for the sixth respondent and Mr.K.N.Govardhanan, learned counsel, appearing for the eight respondent.

4.The learned counsel appearing for the respondents 5 and 7 submitted that the seventh respondent had already moved the Hindu Religious and Charitable Endowments Department and had obtained permission for taking the deity from Senthakudi Village to Keelaiyur Village and he has also got the approval of the District Electoral Officer. This is also reiterated by the learned Government Advocate (Crl. side).

5.The learned counsel appearing for the eighth respondent submitted that the real dispute is only over receiving the first honour.

6.Without getting into the traditional rights which the parties in this part of the country have been enjoying to obtain the first honour during Temple festivals, this Court now records that in view of this conflict, for the present year, there may not be any first honour to anybody and all the honour may be confers on the deity Mazhai Mariamman. Since the permission has already been granted for taking the deity from Senthakudi Village to Keelaiyur Village, nothing survives in this petition and accordingly, the same stands closed. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar (CS II)



To

1.The District Collector,
Pudukottai District, Pudukottai.

2.The Inspector of Police,
Vallathirakottai Police Station,
Pudukottai District.

3.The Assistant Electoral Officer,
31, Sivangangai Parliamentary Constituency,
182, Alangudi Legislative Constituency and
District Supply and Consumer Protection Officer,
Pudukottai.

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

+1 CC to M/s.K.N.GOVARDHANAN, Advocate (SR-57072[F] dated
27/03/2019)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-57503[F] dated
28/03/2019)

+2 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-57567[F] dated
28/03/2019)

Order made in
W.P.(MD)No.7236 of 2019

27.03.2019

DS/ /SAR- (29.03.2019) 3P 9 C