



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) Nos. 8481 & 8650 of 2019 and

W.M.P. (MD) Nos. 6638 & 6738 of 2019

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W.P. (MD) No. 8481 of 2019

K. Shanmugasundaram

... Petitioner

Vs.

1. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruchirappalli.
2. The Assistant Commissioner,
Hindu Religious and Charitable Endowment Department,
Pudukottai, Pudukottai District.
3. The Executive Officer,
Arulmighu Thiruvetazhagiya Iyyanar Vagaiyara Thirukovil,
Peyadikottai, Avudaiyarkovil Taluk,
Pudukottai District.
4. The Revenue Divisional Officer,
Avudaiyarkovil Taluk,
Pudukottai District.
5. The Tahsildar,
Avudaiyarkovil Taluk,
Pudukottai District.
6. The Inspector of Police,
Memisal Police Station,
Memisal, Pudukottai District.
7. The Sub Inspector of Police,
Thiruppunavasal Police Station,
Avudaiyarkovil Taluk,
Pudukottai District.

8. P. Karuppaiah

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 05.04.2019 in proceeding Nil passed by the third respondent and quash the same and consequently direct respondents 1 to 7 to conduct Chithirai Festival of Arulmighu Thiruvetazhagiya Iyyanar Thirukovil,



Peyadikottai, Avudaiyarkovil Taluk, Pudukottai District form
10.04.2019 to 20.04.2019.

For Petitioner
For R-1 to R-7

: Mr.AN.Ramanathan
: Mr.M.Karuppasamy,
Government Advocate.

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W.P. (MD) No.8650 of 2019

K.Gunasekaran

... Petitioner

Vs.

1. The District Collector,
Pudukottai District, Pudukottai.
2. The Hindu Religious & Charitable
Endowment Department,
Rep. by its Commissioner,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 34.
3. The Superintendent of Police,
O/o. The Superintendent of Police,
Pudukottai.
4. The Tahsildar,
O/o. The Tahsildar,
Avudaiyarkovil Taluk,
Pudukottai District.
5. The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Department,
Pudukottai,
Pudukottai District.
6. The Inspector of Police,
Thirupanasal Police Station,
Pudukottai.
7. Sri Thiruvetazhagi Ayyanar Thirukovil,
Rep. by its Executive Officer,
Peyadikottai Village, Avudaiyarkovil Taluk,
Pudukottai District.
8. Shanmugasundaram
9. Muthuchandry
10. Tamil Selvan



11. Muthu Vairavan

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing respondents 1 to 7 not to permit respondents 8 to 11 to conduct Chithra Pournami festival in Arulmighu Thiruvettazhagiya Ayyanar Temple scheduled in the month of 10.04.2019 or any other date without the participation of the petitioner and other scheduled caste members and consequently direct respondents 1 to 7 to permit the petitioner's community people to conduct ritual, namely, as 'Mandagapadi', in "Chithra Pournami" temple festival proposed to be conducted in the tamil month of Chitirai from 10.04.2019 to 20.04.2019 and the following years in future in Arulmighu Thiruvettazhagiya Ayyanar temple, Peyaadikottai Village, Adampur Post, Avudaiyarkovil Taluk, Pudukottai District, within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar
For R-1 to R-6 : Mr.M.Karuppasamy,
Government Advocate.
For R-8 : Mr.AN.Ramanathan

COMMON ORDER

Both the Writ petitions pertain to conduct of "Chithra Pournami" festival of the petition mentioned temple. This is to be celebrated from 10.04.2019 to 20.04.2019.

2. When the matter was taken up for hearing, the learned Government Advocate states that the issue is highly sensitive and that the jurisdictional police have expressed their inability to offer police protection. Even during the last year, a huge police bandobast comprising about 300 police personnel were deputed to ensure the smooth conduct of the event. He also pointed out that First Information Reports have been registered against both the groups.

3. This Court attempted to prevail upon both the groups to arrive at some amicable solution. Now such a solution could not be arrived at. In these circumstances, I am of the view that the relief cannot be given in both the Writ petitions. The Writ petitions pertain only to the current year alone. Therefore, the Writ petitions stand closed. It is made clear that the rights of the parties have not been gone into. It is open to the petitioners to file comprehensive Writ petitions or move the appropriate authorities or the Court.

4. However, the Executive Officer is directed to ensure that the regular Poojas are conducted. Of course there will not be any performance of "Mandagapadi". It is reiterated that these Writ



petitions pertain only to the current year alone.
No costs. Consequently, connected Miscellaneous petitions are closed.

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Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector, Pudukottai District, Pudukottai.

2. The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tiruchirappalli.

3. The Hindu Religious & Charitable
Endowment Department,
Rep. by its Commissioner, 119, Uthamar Gandhi Salai,
Nungambakkam, Chennai - 34.

4. The Superintendent of Police,
O/o. The Superintendent of Police, Pudukottai.

5. The Tahsildar,
O/o. The Tahsildar,
Avudaiyarkovil Taluk, Pudukottai District.

6. The Revenue Divisional Officer,
Avudaiyarkovil Taluk,
Pudukottai District.

7. The Assistant Commissioner,
Hindu Religious & Charitable
Endowment Department,
Pudukottai, Pudukottai District.

8. The Inspector of Police,
Thirupanasaval Police Station, Pudukottai.

9. The Sub Inspector of Police,
Thirupunasaval Police Station,
Avudaiyarkovil Taluk, Pudukottai District.

+1cc to M/s. Special Government Pleader, SR.No. 60402, 60543

+1cc to Mr. AN. Ramanathan, Advocate, SR.No. 60282

+2cc to Mr. G. MATHAVAN, Advocate, SR.No. 60610, 60609

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