



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.9969 of 2019

WEB COPY

Ananthan

... Petitioner

Vs

1.The District Collector,
Thanjavur District.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
Thanjavur,
Thanjavur District.

3.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.

4.The Tahsildar,
Peravurani Taluk,
Thanjavur District.

5.The Executive Officer,
Veemanayagi Amman Thirukkivil,
Aadhanur,
Peravurani Taluk,
Thanjavur District.

6.The Inspector of Police,
Peravurani Taluk,
Thanjavur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1 to 4 respondents herein to direct the 5th respondents to conduct the Vaikasi Thiruvizha at Veemanayagi Amman Thirukkivil, Aadhanur, Peravurani Taluk from 6.5.2019 to 17.5.2019 with the assistance of the 6th respondents police and on the basis of petitioner's representation dated 2.4.2019 within the time stipulated by this Court.

For Petitioner : Mr.B.Arun

For R1 to R4 & R6 : Mr.M.Karuppasamy,
Government Advocate

For R5 : Mr.M.R.S.Prabhu

**ORDER**

Heard the learned counsel on either side.

2. The writ petitioner is a devotee of the fifth respondent temple. All that the petitioner seeks is that the Vaikasi festival should be held.

3. When the matter was taken up for hearing, the learned counsel appearing for the fifth respondent submitted that the temple chariot is in a dilapidated condition and that they have written to the Commissioner of Hindu Religious and Charitable Endowments Department, Chennai, seeking grant of sum of Rs.3,00,000/-. Unless, the said amount is granted and the temple Chariot / Car is repaired, it would not be possible to conduct this festival. This is because, the event is intrinsically linked with the temple car.

4. I am of the view that if the temple car is not in a motorable condition, the Deity can be carried on the shoulders. Citing the condition of the temple car, it is not proper on the part of the fifth respondent to discontinue the very celebration itself. It appears that in connection with the temple celebration security proceedings under Section 107 of Cr.P.C., was earlier initiated.

5. Be that as it may, the fifth respondent cannot be heard to say that the vaikasi festival will not be conducted in the usual manner. The fifth respondent is mandated to conduct the festival to the extent it is possible. If any law and order issue arise, the fifth respondent will take the assistance of the sixth respondent for ensuring the smooth conduct of the festival.

6. With this direction, this writ petition is allowed. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar (CS IV)

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To

1. The District Collector,
<https://hcservices.ecourts.gov.in/hcservices/>
Thanjavur District.



2.The Joint Commissioner,
Hindu Religious and Charitable Endowments Department,
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+1 CC to M/s.B.ARUN, Advocate (SR-63131[F] dated 26/04/2019)

+1 CC to M/s.V.K.VIJAYA RAGAVAN, Advocate (SR-63148[F] dated 26/04/2019)

+1 CC to M/s.SPL GP (SR-63602[F] dated 27/04/2019)

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DS/ /SAR- (27.04.2019) 3P 10C