

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 01.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN****W.P. (MD) No.16969 of 2019**

K.Murugan,
Secretary,
Alankottai Esakki Amman Kovil Trust,
(Reg.No.75/99),
Ganapathipuram Post-629502,
Kanyakumari District.

... Petitioner

Vs.

- 1.The District Collector,
Kanyakumari District,
Nagercoil.
- 2.The Superintendent of Police,
Kanyakumari District, Nagercoil.
- 3.The Revenue Divisional Officer,
Nagercoil, Kanyakumari District.
- 4.The Inspector of Police,
Rajakkamangalam Police Station,
Rajakkamangalam, Kanyakumari District.
- 5.N.Thangappan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the officials respondents not to grant any permission for the fifth respondent to conduct the temple festival of New Sudalaimadaswamy Temple Alankottai Neendakarai 'B' Revenue Village, Agasteeswaram Taluk, Kanyakumari District from 01.08.2019 to 04.08.2019.

For Petitioner	:	Mr.R.Sreenivasan
For R-1 to R-4	:	Mr.K.Suyambulinga Bharathi Government Advocate (Crl.side)
For R5	:	Mr.K.P.Narayana Kumar

O R D E R

This Writ Petition has been filed seeking a direction to the Official respondents not to grant any permission to the fifth respondent to conduct the temple festival of New Sudalaimadaswamy Temple Alankottai Neendakarai 'B' Revenue Village, Agasteeswaram Taluk, Kanyakumari District from 01.08.2019 to 04.08.2019.



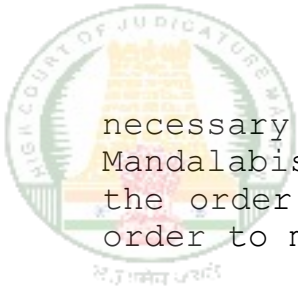
2.The grievance of the petitioner is that both the petitioner and the fifth respondent belong to the same Village and there are two temples in that Village. The petitioner is the Secretary of Alankottai Esakki Amman Kovil Trust, whereas, the fifth respondent is the Trustee of New Sudalaimadaswamy Kovil Trust. According to the petitioner, both temples are situated in the same Village, which are adjacent to each other. Earlier, the petitioner has conducted Kumbabishekam to the Alankottai Esakki Amman Temple. After conducting Kumbabishegam, now, they are conducting Mandalapooja to the said Temple. In the meantime, the fifth respondent is taking steps to conduct Kumbabishegam to the New Sudalaimadaswamy Temple from 01.08.2019 to 04.08.2019. The grievance of the petitioner is that if the respondent Police give permission to conduct Kumbabishegam in the New Sudalamadaswamy Temple on the said dates, there is likelihood of law and order problem. It the above circumstances, the petitioner approached the official respondents not to grant permission to the fifth respondent. That was not considered so far, hence, the present Writ Petition has been filed.

3.Yesterday (31.07.2019) when the matter came up for hearing, the learned Government Advocate (Crl. side) appearing for the State, on instructions, submitted that based on a complaint given by the petitioner, a meeting was conducted by the Deputy Superintendent of Police, Kanyakumari District, wherein, both the parties appeared before the meeting and based on the deliberation between the parties, the Deputy Superintendent of Police passed an order on 31.07.2019, permitting the fifth respondent to conduct the Kumbabishegam festival in the New Sudalaimadaswamy Temple from 01.08.2019 to 03.08.2019 and also imposed six conditions for conducting Kumbabishegam festival in the above said Temple and Mandalabishegam in the Alankottai Esakki Amman Temple peacefully.

4.Today, when the matter was taken up for hearing, the Deputy Superintendent of Police is present before this Court and submitted that now there is no likelihood of law and order, and the Police will give adequate Police protection to Kumbabishegam as well as the Mandalabishegam conducted by the petitioner and the fifth respondent. He further submitted that the fourth respondent will strictly follow the conditions imposed by the Deputy Superintendent of Police.

5.Mr.M.R.Sreenivasan, learned counsel appearing for the petitioner submitted that it is the apprehension of the petitioner that if the fifth respondent conduct Kumbabishegam festival, it will affect the petitioner from conducting the Mandalabishegam festival.

6.Considering the facts and circumstances of the case and considering the fact that already an order has been passed by the Deputy Superintendent of Police, Kanyakumari District, imposing



necessary conditions for conducting Kumbabishegam and Mandalabishegam, the fourth respondent is directed to comply with the order strictly and also provide necessary Police protection in order to maintain law and order in that area.

7. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar (CS)

Tsg

To

1. The District Collector,
Kanyakumari District,
Nagercoil.
2. The Superintendent of Police,
Kanyakumari District, Nagercoil.
3. The Revenue Divisional Officer,
Nagercoil, Kanyakumari District.
4. The Inspector of Police,
Rajakkamangalam Police Station,
Rajakkamangalam, Kanyakumari District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.K.P.NARAYANA KUMAR, Advocate Sr. No.79314

+1CC TO MR.M.R.SREENIVASAN, Advocate Sr. No.79183

Order made in
W.P. (MD) No.16969 of 2019
Dated: **01.08.2019**

NSN (CO)

TR (02.08.2019) 3P 8C