



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.08.2019**

CORAM

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.16980 of 2019

S.Sathaiah

...Petitioner

-Vs-

1.The District Collector,
Sivagangai, Sivagangai District.

2.The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

3.Davamani
4.Manickam

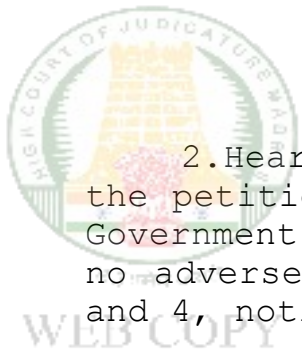
...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the first respondent to permit the petitioner and his community people to perform their religious custom ie., Billy Goat cutting (பிளா கோட்) etc., in the temple premises namely Sri.Solaisatha Ayyanar Temple situate at Thiruvudaiyarpatti, Thiruppathur Taluk, Sivagangai District at the time of celebration of Adi 3rd Friday festival on 02.08.2019 by disposing the petitioner revision petition dated 28.07.2019.

For Petitioner : Mr.R.Suriya Narayanan
For Respondents : Mr.C.M.Mari Chelliah Prabhu
(for R1 & R2)
Additional Government Pleader

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the first respondent to permit the petitioner and his community people to perform their religious custom ie., Billy Goat cutting (பிளா கோட்) etc., in the temple premises, namely, "Sri.Solaisatha Ayyanar Temple" situated at Thiruvudaiyarpatti, Thiruppathur Taluk, Sivagangai District at the time of celebration of Adi 3rd Friday festival on 02.08.2019 by disposing the petitioner revision petition dated 28.07.2019.



2. Heard Mr.R.Suriya Narayanan, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents 1 and 2. Since no adverse order is going to be passed against the respondents 3 and 4, notice to them is dispensed with.

3. With regard to the sacrifice of the goat in the temple is concerned, the petitioner has given a representation to the first respondent on 28.07.2019. All that the learned counsel appearing for the petitioner wants that, let the said petition filed by the petitioner herein, be considered and decided by the first respondent on merits, within a time frame.

4. I have heard Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader, who submits that, on 02.08.2019 itself the function was over and in the permitted place, those kind of sacrificing of goat (செர்த்துகடள்) had been performed by all concerned. Therefore, the request made by the petitioner has become infructuous.

5. However, the learned counsel appearing for the petitioner would submit that, it is not related to any function, whoever, having their liability to sacrifice the goat, can be permitted to perform the same, on any date and accordingly, the petitioner and his community people, since have not been permitted to sacrifice the same, the petitioner has made a representation to the first respondent, therefore, he wants to decide his representation, within a time frame.

6. Having regard to the said submissions made by both sides and taking into account the factual matrix of the issue, as projected before this Court, this Court is inclined to dispose of this writ petition with the following directions:-

"that the first respondent is hereby directed to consider the representation of the petitioner, dated 28.07.2019 and decide the same, on merits and in accordance with law notwithstanding the fact that in the said representation they wanted some permission to have the sacrificing of goats, on 02.08.2019, since the date had already been over and accordingly, decide the same, after hearing the petitioner as well as the fourth respondent at the earliest preferably within a period of two weeks from the date of receipt of a copy of this order. "



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7. With the above direction, this writ petition is disposed of.
No costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar (CS)

rmk

To

1. The District Collector,
Sivagangai, Sivagangai District.

2. The Tahsildar,
Thiruppathur Taluk,
Sivagangai District.

+1 CC to M/s.R.SURIYA NARAYANAN, Advocate (SR-79863[F] dated
06/08/2019)

+1 CC to M/s.SPL GP (SR-79976[F] dated 06/08/2019)

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05.08.2019

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