



c BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P. (MD) Nos.25666 and 25214 of 2019

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Bommanisamuthiram Village People cum
Renovation Committee of
Arulmighy Visalakshi Sametha
Kasiviswanathar Kovil
Rep by Sakthi Keerthi

Petitioner in W.P. (MD)No.25666/2019

S.Chandrasekar

Petitioner in W.P. (MD)No.25214/2019

Vs

1. The District Collector
Tiruchirapalli District
Tiruchirapalli
 2. The Revenue Divisional Officer
Srirangam Taluk
Tiruchirapalli District
 3. The Superintendent of Police
Tiruchirapalli District, Tiruchirapalli
 4. The Tahsildar
Srirangam Taluk
Tiruchirapalli District
 5. The Inspector of Police
Somarasampettai Police Station
Somarasampettai Village & Post
Tiruchirapalli District
 6. The Executive Officer
Arulmighu Visalakshi Sametha Kasiviswanathar Kovil
Bommanisamuthiram Village
Nachikurichi Panchayat
Srirangam Taluk
Tiruchirapalli District ..Respondents W.P. (MD)No.25666/2019
1. The Joint Commissioner
Hindu Religious Endowment Board
Neelagrishwarar Thoppu
Thiruvanaikovil
Tiruchirapalli



2. The Executive Officer
Muthumariyamman Temple
Allithurai
Srirangam Taluk
Tiruchirapalli

..Respondents in W.P.(MD)No.25214/2019

PRAYER IN W.P. (MD) No.25666/2019: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1,2 & 5 to consider the common representation dated 25.11.2019 of the village people represented by the petitioner, seeking to conduct Peace Committee Meeting in respect of Kumbabishekam of Arulmighu Visalakshi Sametha Kasiviswanathar Kovil, Bommanisamuthiram Village, Nachikurichi Panchayat,, Srirangam Taluk, Tiruchirapalli District, within the time stipulated by this Court.

PRAYER IN W.P. (MD) No.25214/2019: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant permission to conduct the "Astabanthana Maha Kumbabishekam" at "Arul Mighu Visalakshmi Ambika Udanurai Kasi Viswanatha Swamy Temple" situated at Bommanisamuthiram Village, Srirangam Taluk, Tiruchirapalli District from 06.12.2019 to 09.12.2019.

For Petitioner
in W.P.(MD)No.25666/2019 : Mr.P.M.Vishnuvarthanan
For Petitioner
in W.P.(MD)No.25214/2019 : Mr.A.Chandrakumar

For Respondents
in W.P.(MD)No.25666/2019 : For R1 to R5 - Mr.M.Murugan
Government Advocate
For R6 - Dr.C.Gunaseela Rupan

For Respondents
in W.P.(MD)No.25214/2019 : For R1 - Mr.V.R.Shanmuganathan
Special Government Pleader
For R2 - Dr.C.Gunaseela Rupan

C O M M O N O R D E R

The Writ petitioners are the residents of Bommanisamuthiram Village, Srirangam Taluk, Tiruchirapalli District and also 'Pattayatharargal' of the "Arul Mighu Visalakshmi Ambika Udanurai Kasi Viswanatha Swamy Temple" situated in their village. The dispute revolved around is with regard to the Kumbabishekam of the said temple. It is stated in the affidavit of the villagers that they have decided and agreed to celebrate Maha Kumbabishekam in the month of November 2019 and also stated that some other programmes are also fixed. Accordingly, the festival was commenced on 15.11.2019 with "Muhurthangal" and "Ganapathy Homam". On 16.11.2019, "Yagna" (Yagam) also started.



2. It is alleged that the 2nd respondent /the Executive Officer of the Temple stalled the festival, hurting the sentiments of the villagers. Therefore, the petitioners had approached the first respondent in person and had given representations to allow them to conduct "Maha Kumbabishekam" as scheduled. As the temple is coming under the Hindu Religious Endowment Board, the respondents have to grant permission to conduct "Maha Kumbabishekam". It is also stated that there is no rival opinion and the villagers are united in this matter. Hence, Writ petition in W.P.(MD) No.25666/2019 is filed seeking permission to conduct Peace Committee Meeting in respect of Kumbabishekam of Arulmighu Visalakshi Sametha Kasiviswanathar Kovil situated at Bommanisamuthiram Village.

3. On 03.12.2019, this Court issued a direction to conduct peace committee meeting to be convened with respect to fixing the date for Kumbabishekam of the above said temple. Further it was directed that the Assistant Commissioner, HR & CE, Tiruchirapalli and the Deputy Superintendent of Police, G.A.Puram, Tiruchirapalli were also to be present in the said meeting. It is reported that as scheduled, the peace committee meeting was conducted on 04.12.2019.

4. In view of the above, there is no need to pass further orders in W.P.(MD) No.25666/2019 and hence the same is dismissed as infructuous.

5. Today when the matter is taken up for hearing, proceedings of the peace committee meeting was submitted. As per the report, no unanimous decision has been taken amongst the parties in fixing the date for Kumbabishekam. Therefore the parties are back to the Status quo.

6. The learned counsel appearing for the 6th respondent/ Executive officer submitted that the Executive Officer requires sufficient time to get concurrence of the Commissioner, HR & CE and it cannot be done in a hurried manner within three days. The dates fixed and recommended by the petitioner and the villagers are between 06.12.2019 and 09.12.2019.

7. After hearing the parties, this Court asked the petitioner to suggest two or three dates which would be suitable for performing Kumbabishekam convenient to all without any grievance to any of the parties. Accordingly, the petitioner suggested two dates i.e 20.01.2020 and 30.01.2020, which would fall in the tamil month of "Thai". Earlier it was stated that yet another temple festival (Sri Kaliyamman Temple) would be conducted during the same period and hence the parties did not agree for these dates. It is stated now that the festival of Sri Kaliyamman temple will be scheduled only after 09.03.2020. Therefore, there is no impediment for conducting the Kumbabishekam of Arulmighu Visalakshi Sametha Kasiviswanathar Kovil, before 09.03.2020.



8. Hence, this Court is of the considered view that as agreed by the villagers and without hurting the feelings and sentiments of the villagers, this Court is fixing the date of performance of Kumbabishekam of Arulmighu Visalakshi Sametha Kasiviswanathar Kovil as 30.01.2020.

9. Moreover, the Commissioner, HR & CE, who is not a party in the proceedings is also directed to look into the matter at the earliest and approve the date fixed i.e on 30.01.2020 and extend their fullest co-operation in conducting the Kumbabishekam of Arulmighu Visalakshi Sametha Kasiviswanathar Kovil on 30.01.2020, as decided by the villagers.

10. With the above observation and direction, the Writ Petition in W.P.(MD) No.25214/2019 is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

vrn

To

1. The District Collector
Tiruchirapalli District
Tiruchirapalli
2. The Revenue Divisional Officer
Srirangam Taluk
Tiruchirapalli District
3. The Superintendent of Police
Tiruchirapalli District,
Tiruchirapalli
4. The Tahsildar
Srirangam Taluk
Tiruchirapalli District
5. The Inspector of Police
Somarasampettai Police Station
Somarasampettai Village & Post
Tiruchirapalli District



6. The Commissioner
Hindu Religious Charitable Endowments Department
119 Uthamar Gandhi Salai
Nungampakkam
Chennai - 34

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7. The Joint Commissioner
Hindu Religious Endowment Board
Neelagrishwarar Thoppu
Thiruvanaikovil
Tiruchirapalli

+2 CC to Mr.C.GUHASEELARUPAN, Advocate (SR-103733[F] dated 06/12/2019)

+1 CC to Mr.P.M.VISNUVARTHANAN, Advocate (SR-103910[F] dated 06/12/2019)

+1 CC to SPL.GP (SR-103968[F] dated 09/12/2019)

+1cc to Mr.A.Chandrakumar, Advocate SR.No.103742

W.P. (MD) Nos.25666 and 25214 of 2019

05.12.2019

VB(17.12.2019) 5P 13C