

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Fourteenth day of October Two Thousand Twenty

PRESENT

THE HON'BLE MR JUSTICE R. SUBRAMANIAN

CMP Nos.10779 AND 10924 of 2020
IN SA.535/2018

1 PRABAVATHI [PETITIONER IN CMP No.10779 of 2020
2 JAICHAND BABU AND 1 TO 9 RESPONDENTS IN CMP.10924/2020]
3 RAMESH BABU
4 JAYA SHREE
5 VANISHREE

6 PARIMALA
7 SUDHAKAR
8 JAYAPRAKASH
9 PASUAPALETTI J.RAVI

Vs

1 S.DEVARAJAN [RESPONDENTS IN CMP No.10779 of 2020
2 R.DEVARAJ AND 1 TO 6 PETITIONERS IN CMP.10924/2020]
3 B.GOVINDASAMI
4 P.CHANDIRAN
5 V.SRINIVASAN
6 N.SRINIVASAMURRTHY

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the Petitioners/ Appellants herein to conduct the Navaratri and Dasara festival from 17.10.2020 to 27.10.2020 to the Utsavar Idol of Arulmigu Sri Shankthi KaliasmanKoil, Kalampattu Village, as it has been conducted previously for time immemorial, (IN CMP.NO.10779 OF 2020) pending disposal of the above second appeal NO.535 OF 2018 AND;

(II) To permit the petitioner to conduct Navaratri and Dasara Festival scheduled to be held from 17.10.2020 to 27.10.2020 in Shakthikaliasman Temple(Moolavar Kaliasman Koil) situated in S.No.71/1 in Kalampattu Village, Malaiadivaram, Katpadi Taluk, Vellore District including to conduct procession of Urchavar Goddess in Kalampattu, Venkatasamuthiram, Mottur, Melachukattu, KezhAchukattu, Kengasanikuppam and Ondi Veedu Village including also to provide Annadhanam to the devotees as permitted by this Honble Court in CMP.No.20783 of 2019 in SA.No.535 of 2018 for the previous year festival (IN CMP.NO.10924 OF 2020) pending disposal of the above second appeal NO.535 OF 2018 Respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of MR.C.JAGADISH, Advocate for the PETITIONER IN CMP No.10779 of 2020 AND 1 TO 9 RESPONDENTS IN CMP.10924/2020 and of M/S.M.SATHISH KUMAR, ADVOCATE RESPONDENTS IN CMP No.10779 of 2020 AND 1 TO 6 PETITIONERS IN CMP.10924/2020 the court made the following order:-

Both the appellants as well as the respondents have filed these two petitions namely CMP Nos.10779 and 10924 of 2020 seeking permission to each of them to conduct Navarathiri and Dussehra festival between 17.10.2020 and 27.10.2020. The celebration of these festivals has been the subject matter of various writ petitions filed in this court.

2. Last year, the petitioners in CMP No.10924 of 2020 had sought for the very same relief in CMP No.20783 of 2019. After hearing the parties, I had passed the following order in the said petition on 26.09.2019:

"2. The conduct of this festival has been subject matter of various writ petitions apart from being subject matter of a Civil suit, which has culminated in the above second appeal. By an order dated 10.10.2018 made in W.P.No.26247 of 2018, this Court had directed the Sub-Collector, Vellore to conduct the festival with assistance of the Assistant Commissioner (HR & CE), Vellore between 10.10.2018 and 19.10.2018. The parties have also been directed to co-operate with the officials for peaceful conduct of festival in question. This Court while disposing of the writ petition has also taken note of the agreement reached between the parties before the Tahsildhar, Katpadi.

3. In view of the said order, the same position shall continue this year also. The Sub-Collector, Vellore shall conduct the festival with assistance of the Assistant Commissioner (HR & CE), Vellore between 29.09.2019 and 08.10.2019. The parties are directed to co-operate with the officials for the peaceful conduct of the festival in question. It is made clear that none of the parties to this litigation shall interfere with the conduct of the festival by the Officials."

3. In view of the above, there will be a similar order for performance of the Navarathiri festival this year also between 17.10.2020 and 27.10.2020.

-sd/-

14/10/2020

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SUBORDINATE JUDGE
GUDIYATHAM

2 THE PRINCIPAL DISTRICT JUDGE
VELLORE.

3 THE SUB-COLLECTOR,
VELLORE.

4. THE ASSISTANT COMMISSIONER (HR & CE)
VELLORE.

C.C. to MR.C.JAGADISH Advocate SR.NO.5330

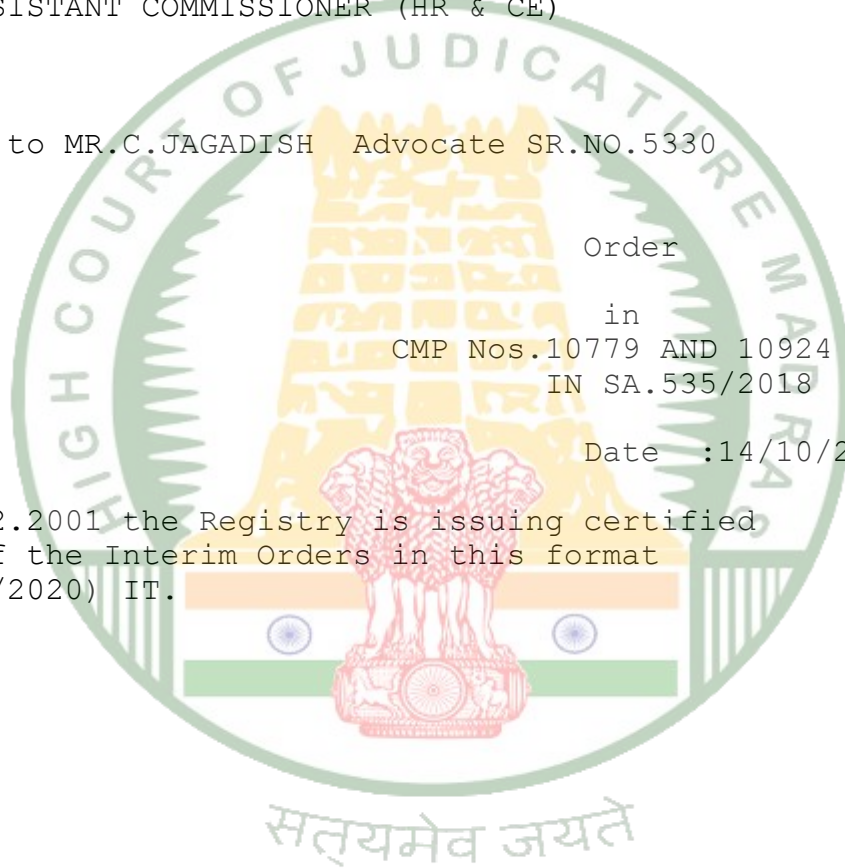
Order

in

CMP Nos.10779 AND 10924 of 2020
IN SA.535/2018

Date :14/10/2020

From 26.2.2001 the Registry is issuing certified
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VC (15/10/2020) IT.



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