



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 07.07.2020**

**CORAM:
THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN**

**W.P (MD) No.7328 of 2020
and
WMP (MD) No.6775 of 2020**

Muniyasamy

... Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Deputy Superintendent of Police,
Sattur,
Virudhunagar District.

3.The Inspector of Police,
Elairampannai Police Station,
Virudhunagar District.

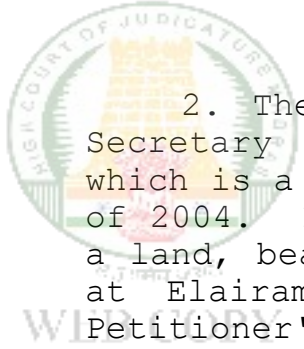
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of Na.Ka.No.081, dated 02.06.2020, passed by the 3rd respondent and set aside the same and permitting the petitioner to conduct yearly temple festival of Arul Migu Shree Angala Eeswari Temple, situated at Elairampannai, Virudhunagar District, on 30.06.2020, or any other date.

For Petitioner : Mr.R.Murugappan
For Respondents : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the Impugned Order in Na.Ka.No.081, dated 02.06.2020, passed by the 3rd respondent and set aside the same and permitting the petitioner to conduct Yearly Temple Festival of 'Arul Migu Shree Angala Eeswari Temple', situated at Elairampannai, Virudhunagar District, on 30.06.2020, or any other date.



2. The case of the petitioner is that the petitioner is the Secretary of "Visvakarma Kaivinaingarkal Sangam, Elairampannai", which is a registered Association and its Registration Number is 194 of 2004. In the year 2013, the Petitioner's Association purchased a land, bearing Survey No.36/3B, an extent of 0-3.25 ares, situated at Elairampannai, Virudhunagar District and in that land, the Petitioner's Association constructed a Temple viz., 'Arul Migu Shree Angala Eeswari Thiru Kovil', and conducted Kumbavisegam.

3. Mr.R.Murugappan, the learned counsel appearing for the petitioner would submit that on 30.06.2020, the petitioner submitted an application to the 3rd respondent, permitting him to conduct yearly festival of the aforesaid Temple and the same was rejected by the 3rd respondent, on the ground of COVID-19 Pandemic Lock-down and curfew imposed in the area, in which the Temple is situated. Aggrieved over the same, the petitioner has filed the present Writ Petition for the aforesaid relief.

4.The learned Additional Public Prosecutor, appearing for the respondents, on instructions, would submit that in the locality, in which the Temple is situated, there are two groups and both of them made allegations against each other, for which, the 3rd respondent has conducted an enquiry. In fact, for the petitions given by the petitioner and the opposite party, before the 3rd respondent, a separate CSR numbers were given and the enquiry was pending. He further added that in the said situation, if permission is granted to conduct the Temple Festival, there would be a chance of untoward incidents and therefore, he strongly objected for grant of permission for conducting the Temple Festival.

5. Considering the submissions made by the learned counsels appearing on either side, since there are disputes pending between the rival groups, if any order is passed in favour of any one of them, definitely, there will be a chance for untoward incidents. Apart from that, now, due to COVID-19 Pandemic, the entire Nation is affected and the Government has imposed Lock-down. Further, the Government has passed an order of closure of temples. So, in these situation, it is not proper to give any direction on the request made by the petitioner.

6. With the above observations, the Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Deputy Superintendent of Police,
Sattur,
Virudhunagar District.

3.The Inspector of Police,x
Elairampannai Police Station,
Virudhunagar District.

Judgments made in
W.P (MD) No.7328 of 2020
07.07.2020

SMA/13/07/2020/3P/4C