



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD)No.15019 of 2020

and

W.M.P. (MD)Nos.12657 and 12658 of 2020

WEB COPY

B.Arunkumar

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
District Collectorate,
Kokkirakulam, Tirunelveli.

2.The Tahsildhar,
Tirunelveli Taluk,
Tirunelveli.

...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 order of the second respondent, vide his proceedings in Na.Ka.No.A3/2919/2020, dated 09.10.2020, quash the same insofar as the condition restricting the procession of the deities in ''Sapparams'' during the Dashara festival to be carried out in all the temples within the respective temple premises insofar as ARULMIGU SRI MARRIAMMAN KOIL, is concerned and consequently, to permit the procession of the deity ARULMIGU SRI MARRIAMMAN, situated at Saliyar Street, Sankarankoil Road, Tirunelveli Town, Tirunelveli - 627 006, during the night of 26/10/2020, for a limited distance of 200 meters towards north of the temple and only a 300 meters towards south of the temple.

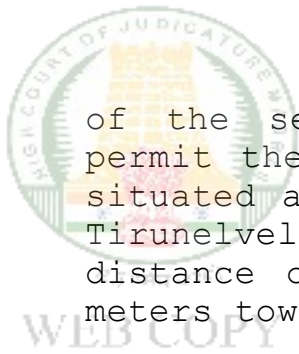
For Petitioner : Mr.S.Conscious Ilango

For Respondents : Mr.C.Ramar
Additional Government Pleader

ORDER

Heard Mr.S.Conscious Ilango, learned counsel appearing for the petitioner and Mr.C.Ramar, learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

2.The petitioner has come out with the present Writ Petition
<https://hcservices.ecourts.gov.in/hcservices/> a Writ of Certiorarified Mandamus, to quash order



of the second respondent, dated 09.10.2020, and consequently, permit the procession of the Deity viz., Arulmigu Sri Mariamman, situated at Saliyar Street, Sankarankovil Road, Tirunelveli Town, Tirunelveli, during the night of 26.10.2020, for a limited distance of 200 meters towards the north of the temple and 300 meters towards the south of the temple.

3.Today, when the matter is taken up for hearing, Mr.S.Conscious Ilango, learned counsel appearing for the petitioner would submit that the petitioner would be satisfied, if suitable direction is issued to the second respondent to consider his representation, dated 12.10.2020. It is also submitted that the procession is being taken out for time immemorial with some religious faith, however, in view of Covid - 19 Pandemic, this year, at least the Priest and the Committee Members may be permitted to participate in the procession function to be held on 26.10.2020.

4.Mr.C.Ramar, learned Additional Government Pleader appearing on behalf of the respondents would submit that the second respondent would consider the representation of the petitioner, dated 12.10.2020, and pass appropriate orders in accordance with law, within a time frame to be fixed by this Court.

5.Though the petitioner has prayed for a larger relief in the Writ Petition, considering the submissions made by the learned counsel appearing on either side, this Court without going into the merits of the case, directs the second respondent to consider the representation of the petitioner, dated 12.10.2020 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, in any event, not later than 25.10.2020.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

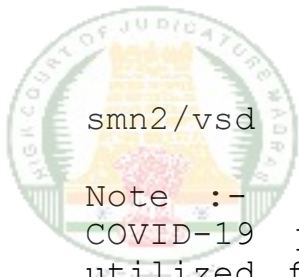
Sd/-

Assistant Registrar (RECORDS)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



smn2/vsd

Note :- In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector,
Tirunelveli District,
District Collectorate,
Kokkirakulam,
Tirunelveli.

2.The Tahsildhar,
Tirunelveli Taluk,
Tirunelveli.

+1 CC to Mr.V.SASI KUMAR, Advocate (SR-20654[F] dated 23/10/2020)

+1 CC to SGP (SR-20640[F] dated 23/10/2020)

W.P. (MD)No.15019 of 2020

and

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22.10.2020

MR (CO)

KM (23.10.2020) 3P 5C