



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P. (MD)No.15043 of 2020

Naduthuru Vellalar Samuthya Trust
rep. by its President V.Thanupillai
S/o.Velayutham Pillai
Parakkai, Nagercoil,
Kanyakumari District.

... Petitioner

Vs.

1. The District Collector
Kanyakumari District at Nagercoil.
2. The Superintendent of Police
Kanyakumari District at Nagercoil.
3. The Revenue Divisional Officer,
Collector Office Building,
Nagercoil, Kanyakumari District.
4. The District Revenue Officer,
Collector Office Building,
Kanyakumari District at Nagercoil.
5. The Tahsildar
Agastheeswaram Taluk,
Agastheeswaram,
Kanyakumari District.
6. The Inspector of Police
Suchindram Police Station,
Kanyakumari District.
7. S.Nallmuthu Pillai @ Suresh,
Naduthuru Vellalar Samuthya Trust,
Trustee, Melaradhavathi,
Parakkai, Nagercoil,
Kanyakumari District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the Respondents to give the permission, police protection and to



conduct Temple Festival on 30.10.2020 or any other day in Temple namely, Arulmigu Santhana Mariamman Kovil situated at Parakkai, Nagercoil, Kanyakumari District, based upon the petitioner's representation, dated 16.10.2020.

For Petitioner : Mr.G.Anto Prince
For Respondents 1 to 6 : Mr.R.Srinivasan
Government Advocate
For 7th Respondent : Mr.M.Suri

ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the Respondents herein to give the permission, police protection and to conduct Temple Festival on 30.10.2020 or any other day in Temple namely, Arulmigu Santhana Mariamman Kovil situated at Parakkai, Nagercoil, Kanyakumari District, based on the petitioner's representation, dated 16.10.2020.

2.The case of the petitioner is that the above said temple is a public temple and being worshipped by all the people of the petitioner's village and adjacent villages. Due to the Covid-19 pandemic situation lock down, they are not in a position to conduct the Chithirai Festival Celebration. The petitioner had given a common notice on 27.03.2020 for postponing the Kumbabisegam Function. The seventh respondent is one of the Trustee and cash in charge of the above said temple. The seventh respondent is trying to conduct the above said Kumbabisegam function of the aforementioned temple, without the consent of the other Office Bearers. The petitioner has sent a representation dated 16.10.2020, to the respondents 1 to 6 seeking police protection to conduct temple festival, but so far no action was taken. Hence, this writ petition has been filed.

3.The learned counsel for the petitioner would submit that the Government have passed G.O.No.673, Revenue and Disaster Management, dated 30.11.2020 giving certain relaxation and therefore, would pray for considering the petitioner's representation in the light of the above G.O.

4.The learned counsel appearing for the seventh respondent would submit that the seventh respondent is the trustee of the temple and he would state that the Kumbabishegam festival of the temple is already over on 30.10.2020 and therefore, nothing survives for adjudication in this writ petition.

5.The representation dated 16.10.2020, said to have been send by the petitioner is also not enclosed in the typed set of papers. If the petitioner is aggrieved, he has to approach the appropriate forum for his remedy, in the manner known to law.



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

Sd/-

Assistant Registrar (T&P)

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar(CS)

rm

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
Kanyakumari District at Nagercoil.
2. The Superintendent of Police
Kanyakumari District at Nagercoil.
3. The Revenue Divisional Officer,
Collector Office Building,
Nagercoil, Kanyakumari District.
4. The District Revenue Officer,
Collector Office Building,
Kanyakumari District at Nagercoil.
5. The Tahsildar
Agastheeswaram Taluk,
Agastheeswaram, Kanyakumari District.
6. The Inspector of Police
Suchindram Police Station,
Kanyakumari District.
7. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.Anto Prince, Advocate, SR.No.25198.

W.P. (MD)No.15043 of 2020

11.12.2020

ES(CO)

<https://hcservices.ecourt.gov.in/decisions/> 9C