



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.08.2020

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THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.17740 of 2019

- 1.C.Rajagopal
- 2.K.Malaiyan (Poojari)
- 3.K.Mallaiyan @ Manthiri
- 4.P.Nallathambi

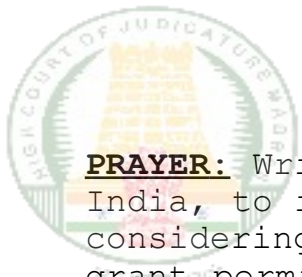
...Petitioners

Vs

- 1.The District Collector,
Trichy District,
Trichy.
- 2.The District Revenue Officer,
Trichy District,
Trichy.
- 3.The Revenue Divisional Officer,
Musiri,
Trichy District.
- 4.The Tahsildar,
Musiri Taluk,
Musiri, Trichy District.
- 5.The Village Administrative Officer,
T.Pudhupatti Village,
Musiri Taluk,
Trichy District.
- 6.Ramaraj
- 7.The Inspector,
HR & CE Department,
Thuraiyur,
Trichy District.

(R6 has been impleaded
vide order dated 14.08.2020 in
WMP(MD)No.15582/2019 and
R7 has been impleaded *suo motu*
vide order dated 27.08.2020)

...Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 to 5 considering the petitioner's representation dated 26/06/2019 to grant permission to renovate and perform the Kumbabisekam according to Agamas of the A/m Mariamman Temple and A/m.Ammayi Amman and A/m.Sri Vinayagar Temples in Vadakku Nalliampatti Village, Musiri Taluk, Trichy District.

For Petitioners	: Mrs.S.Devasena
For R1 to R5	: Mr.V.Anand Government Advocate
For R6	: Mr.M.Subash Babu
For R7	: Mr.K.P.Narayanakumar Special Government Pleader

ORDER

This Writ Petition is filed to direct the respondents 1 to 5 to grant permission to renovate and perform the Kumbabisekam, according to Agamas, to the Arulmigu Mariamman Temple, Arulmigu Ammayi Amman and Arulmigu Sri Vinayagar Temples situated at Vadakku Nalliampatti Village, Musiri Taluk, Trichy District.

2.According to the petitioners, though they have made a representation dated 26.06.2019 to the respondents, so far no action has been taken by them. Hence, left with no other alternative, the petitioners are before this Court.

3.On perusal of the available records, it is seen that this Court by order dated 14.08.2020, suggested to the both parties why an Executive Officer of HR & CE Department to be appointed to renovate and perform Kumbabisekam for the aforesaid temples.

4.In compliance of the same, the petitioners have filed a memo dated 19.08.2020 before this Court, wherein, it had been stated that the petitioners have agreed to renovate and conduct Kumbabishekam for the said temples under the supervision of either the Executive Officer, HR & CE Department, or the Inspector, HR & CE Department, Thuraiyur and agreed to follow the order passed by this Court in W.P.(MD) No.6724 of 2019 dated 03.04.2019 in performing daily poojas of the said temples.

5.The learned counsel appearing for the respective respondents have also agreed with the statements made in the memo dated 19.08.2020 filed by the petitioners.

6.In the light of the above, this Court appoints the Inspector, HR & CE Department, Thuraiyur, to renovate and perform Kumbabisekam for the aforesaid temples. For the purpose of directing the



Inspector, HR & CE Department, Thuraiyur, this Court suo motu impleads the Inspector, HR & CE Department, Thuraiyur, as 7th respondent in this writ petition.

7. By recording the statement made in the memo dated 19.08.2020, this Court is inclined to pass the following directions:-

i) the 7th respondent / Inspector, HR & CE Department, Thuraiyur, is directed to take in-charge and to take necessary steps to renovate and perform Kumbabisekam for the Arulmigu Mariamman Temple, Arulmigu Ammayi Amman and Arulmigu Sri Vinayagar Temples situated at Vadakku Nallampatti Village, Musiri Taluk, Trichy District;

ii) both the parties are directed to co-operate with the 7th respondent for conducting Kumbabisekam;

iii) both the parties are permitted to collect funds from the general public for conducting Kumbabisekam and to maintain the account and the same shall be handed over to the 7th respondent along with the account books;

iv) if any eligible amount payable from the department concerned, it is for the parties concerned, by making a request to the authorities concerned for sanction of the said amount;

v) if there is any difficulty for the 7th respondent to renovate and conduct the Kumbabisekam, he can seek necessary clarification from this Court for getting appropriate orders;

vi) the 7th respondent is permitted to seek police protection for conducting Kumbabisekam or to renovate the said temples, if necessary;

8. This Writ Petition is disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
Trichy District,
Trichy.

2.The District Revenue Officer,
Trichy District,
Trichy.

3.The Revenue Divisional Officer,
Musiri,
Trichy District.

4.The Tahsildar,
Musiri Taluk,
Musiri, Trichy District.

5.The Village Administrative Officer,
T.Pudhupatti Village,
Musiri Taluk,
Trichy District.

6.The Inspector,
HR & CE Department,
Thuraiyur,
Trichy District.

+1 CC to SPL GP (SR-15242[F] dated 28/08/2020)

+1 CC to M/s.S. DEVASENA, Advocate (SR-15322[F] dated 28/08/2020)

+1 CC to Mr.M. SUBASH BABU, Advocate (SR-15369[F] dated
31/08/2020)

W.P. (MD) No.17740 of 2019
27.08.2020

VB (01.10.2020) 4P 10C