

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 08.02.2021
CORAM:
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE
Writ Petition No.2559 of 2021

S.Subramani

... Petitioner

vs.

1. The District Collector,
Salem District, Salem.

2. The Revenue Divisional Officer,
Salem District, Salem.

3. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Salem District, Salem.

4. The Commissioner of Police,
Salem City, Salem.

5. The Tahsildar,
South Salem,
Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents 1 to 5 to conduct this year Annual Masi month festival from 16.02.2021 to 07.03.2021 of Mariyamman Temple, Ammani Kondalampatti at Salem pursuant to the order of the Hon'ble Division Bench of this Court in W.A.No.1716 of 2019 dated 31.07.2019.

For Petitioner : Mr.Durai Gunasekaran

For Respondents: Mr.V.Shanmuga Sundar
Special Government Pleader
for R1, R2, R4 & R5

: Mrs.Rehana Begam
Government Advocate for R3

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ORDER

Heard Mr.Durai Gunasekaran, learned counsel for the petitioner and Mr.V.Shanmuga Sundar, learned Special Government Pleader accepts notice for respondents 1, 2, 4 and 5. Mrs.Rehana Begum, learned Government Advocate accepts notice for the 3rd respondent.

2. By consent of both the parties, this writ petition is taken up for final disposal at the time of admission itself.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents to conduct this year's Annual Masi month festival from 16.02.2021 to 07.03.2021 of Mariyamman Temple, Ammani Kondalampatti at Salem pursuant to the order of the Hon'ble Division Bench of this Court in W.A.No.1716 of 2019 dated 31.07.2019.

4. The Division Bench of this Court by its order dated 31.07.2019 in W.A. No.1716 of 2019 made it clear that till the disposal of the suit in O.S. No.98 of 2017, the arrangement directed by the learned Single Judge of this Court in WP No.5624 of 2019 with regard to the conduct of the festival shall continue. The learned single Judge of this Court by its order dated 11.04.2019 in WP No.5624 of 2019 directed the Joint Commissioner - HR & CE Endowments Department, Salem District, Salem, to conduct the periodical festivals for the aforementioned Temple with the help of HR & CE officials and if necessary was also permitted to obtain police protection. The petitioner has given a representation on 19.01.2021 to the respondents seeking for direction to the respondents to conduct the Temple festival viz., this year's Annual Masi month festival from 16.02.2021 to 07.03.2021 of Mariyamman Temple, Ammani Kondalampatti at Salem. Since the said representation was not considered by the respondents till date, the petitioner has filed this writ petition.

5. Ms.Rehana Begum, learned Government Advocate appearing for the 3rd respondent, on instructions would submit that the 3rd respondent is prepared to conduct the Temple festival for this year also. For this submission, the learned counsel for the petitioner is satisfied.

6. After recording the submissions made by the respective counsels, this Court directs the 3rd respondent to conduct the Annual Masi month festival from 16.02.2021 to 07.03.2021 of Mariyamman Temple, Ammani Kondalampatti at Salem, by following the covid protocol and if necessary also seek police protection, as directed in the order dated 11.04.2019 in WP No.5624 of 2019.

7. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS III)

/true copy/
Sub Asst. Registrar

vsi2
To:

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer,
Salem District, Salem.
3. The Joint Commissioner,
Hindu Religious and Charitable
Endowments Department,
Salem District, Salem.
4. The Commissioner of Police,
Salem City, Salem.
5. The Tahsildar,
South Salem,
Salem District.

+1 cc to Mr.Durai Gunasekaran Advocate sr7026
+1 cc to Special Government Pleader (HR & CE) sr7206

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W.P.No.2559 of 2021

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