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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Friday, the First day of October Two Thousand Twenty One

PRESENT

THE HON`BLE MRS JUSTICE S.KANNAMMAL

CMP.NO.16514 OF 2021

IN SA.NO.535 OF 2018

1 S.DEVARAJAN [PETITIONERS]

2 R.DEVARAJ

3 B.GOVINDASAMI

4 P.CHANDIRAN

5 V.SRINIVASAN

6 N.SRINIVASAMURTHY

Vs

1 PRABAVATHI [RESPONDENTS]

2 JAICHAND BABU

3 RAMESH BABU

4 JAYASHREE

5 VANISHREE

6 PARIMALA

7 SUDHAKAR

8 JAYAPRAKASH

9 PASUAPALETTI J. RAVI



Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioner to conduct Navaratri and Dasara Festival scheduled to be held from 06.10.2021 to 16.10.2021 in Shakthi Kaliyamman Temple (Moolavar Kaliyamman Koil), situated in S.No.71/1 in Kalampattu Village, Malaiadivaram, Katpadi Taluk, Vellore District including to conduct procession of Urchavar Goddess in Kalampattu Venkatasamuthiram, Mottur, Melachukattu, KezhAchukattu, Kengasanikuppam and Ondi Veedu Villages including also to provide Annadhanam to the devotees as permitted by this Hon'ble Court in C.M.P.Nos.10779 and 10924 of 2020 in S.A.No.535 of 2018 for the previous year festival, (In CMP.NO.16514/2021) pending disposal of this SA.NO.535/2018.

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.M.SATHISH KUMAR, Advocate for the petitioner, the court made the following order:-

This Civil Miscellaneous Petition has been filed seeking permission to conduct Navarathri and Dasara Festival scheduled to be held from 06.10.2021 to 16.10.2021 in Shakthi Kaliyamman Temple (Moolavar Kaliyamman Koil), situated in S.No.71/1 in Kalampattu Village, Malaiadivaram, Katpadi Taluk, Vellore District including to conduct procession of Urchavar Goddess in Kalampattu, Venkatasamuthiram, Mottur, Melachukattu, Kezhachukattu, Kengasanikuppam and Ondi Veedu Villages including also to provide Annadhanam to the devotees as permitted by this Court in C.M.P.Nos.10779 & 10924 of 2020 in S.A.No.535 of 2018 for the previous year festival, pending disposal of this Second Appeal.

2.The learned counsel for the respondents/appellants filed counter affidavit. It is clear that the petitioners and the respondents filed similar petitions and obtained orders. It is stated by the respondents herein in the counter, the District Collector informed that due to covid restrictions, the Government of Tamil Nadu has passed G.O.Ms.No.552, Revenue and Disaster Management (DM-IV) Department and public gatherings in the religious festival are prohibited till 31.10.2021 and hence, he seeks to dismiss the petition.

3.Heard the learned counsel for the petitioners as well as the respondents.

4.This Court is of the opinion that earlier the respondents and the petitioners have sought for the very same relief by filing the petitions in C.M.P.Nos.10779 & 10924 of 2020 in S.A.No.535 of 2018 and this Court by an order dated 14.10.2020 had passed the following order:

"In view of the above, there will be a similar order for performance of the Navarathiri festival this year also between 17.10.2020 and 27.10.2020."



5. In view of the above, the same position shall continue this year also and the Sub Collector, Vellore shall conduct the festival with the assistance of the Assistant Commissioner (HR&CE), Vellore between 06.10.2021 to 16.10.2021. The parties are directed to co-operate with the officials for the peaceful conduct of the festival in question. It is made clear that none of the parties to this litigation shall interfere with the conduct of the festival by the officials.

-sd/-
01/10/2021
/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SUBORDINATE JUDGE,
GUDIYATHAM.

2 THE PRINCIPAL DISTRICT JUDGE,
VELLORE.

3 THE ASSISTANT COMMISSIONER
(HR AND CE), VELLORE.

4 THE SUB COLLECTOR,
VELLORE.

Order
in
CMP.NO.16514 OF 2021

IN SA.NO.535 OF 2018

Date : 01/10/2021

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