



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26723 of 2021

M.Shanmugam

... Petitioner

Vs.

1.The District Collector,
Krishnagiri District.
Krishnagiri,

2.The Revenue Divisional Officer,
Krishnagiri
Krishnagiri District.

3.Inspector of Police,
Bharur Police Station,
Pochampalli Tk,
Krishnagiri District - 635 123.

4.Natesan

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant permission to the petitioner to conduct traditional and customary Pooja on 16.01.2022 from 8.00 A.M. To 11.00 A.M. At Arulmigu Nandeswarar Temple, Pannathur, Pochampalli Taluk, Krishnagiri District by considering the petitioner representation dated 24.11.2021

For Petitioner : Mr.M.R.Elavarasan

For Respondents : M/s.C.Sangamithrai
Special Government Pleader



O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 24.11.2021 and grant permission to the petitioner to conduct traditional and customary Pooja on 16.01.2022 at Arulmigu Nandeswarar Temple, Pannathur, Pochampalli Taluk, Krishnagiri District.

2. The case of the petitioner is that his father constructed the Arulmigu Nandeswarar Temple during the year 1984 and they are conducting special abishekam and pooja regularly and the same was continued by the petitioner after the demise of his father. However, during the year 2015, due to some difference of opinion regarding Eruthuvuduthal between two sets of people, there arose a quarrel and the 2nd respondent conducted a Peace meeting, but no consensus was arrived between the said parties and therefore restriction was imposed not to conduct the Eruthuvuduthal function, however no restrictions were made for conducting the family deity pooja.

3. It is further submitted that, several peace committees were conducted and in conclusion the Revenue and the Police Department misconstrued the restriction imposed relating to the conduct of Eruthuvuduthal function and thereby restricted the petitioner's family to conduct the family deity pooja. Hence, the petitioner made representation dated 24.11.2021 to the respondents 1 to 3, however, till date the respondents have neither rejected the representation nor granted permission to the petitioner. Thereafter, the petitioner approached this Court and filed CrI.O.P.No.34225 of 2019 and this Court passed specific direction to the 3rd respondent to consider the petitioner's representation on merits, however, the same was rejected by the 3rd respondent and thereafter, the petitioner challenged the rejection order passed by the 3rd respondent in W.P.No.715 of 1010 and the same was allowed on 13.01.2020. Thereafter, the peace committee was conducted and the same was rejected as no consensus emerged. Hence, the present petition is filed.

4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the Tahsildar, Krishnagiri to conduct the Peace committee and take appropriate decisions.

5. The learned Special Government Pleader has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the petitioner to send a copy of this order along with his



representation to the Jurisdiction Tahsildar within a period of two weeks from the date of receipt of a copy of this order and if any such representation is made, the concerned Jurisdiction Tahsildar is directed to conduct Peace Committee and after providing opportunity of hearing to the petitioner and the private respondent and if any amicable settlement is arrived in between the parties, thereby, the Tahsildar may take decision with regard to conducting pooja by passing appropriate orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. If there is no amicable settlement aroused between the parties, the Revenue Officials are directed to conduct the Pooja regularly in Arulmigu Nandeswarar Temple.

7. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

skt

To

- 1.The District Collector,
Krishnagiri District.
Krishnagiri,
- 2.The Revenue Divisional Officer,
Krishnagiri
Krishnagiri District.
- 3.Inspector of Police,
Bharur Police Station,
Pochampalli Tk,
Krishnagiri District - 635 123.

+1cc to Mr.K.Balu, Advocate SR. No.67269
+1cc to Government Pleader SR. No.67896

W.P.No.26723 of 2021

SR(CO)
PR (07/01/2022)