



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2021

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.2699 of 2021

Thangaraj

... Petitioner

Vs.

1.The District Collector,
Dindigul District.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowment,
Ellis Nagar, Madurai.

3.The Tahsildar,
West Taluk,
Dindigul District.

4.The Managing Trustee,
Arulmigu Kottai Mariamman Temple,
Dindigul District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to permit the petitioner and his family members to carry out and perform "Mulaipari", "Palkudam", "Angapradhachanam", "Pookuli Iranguthal", "Agni Chatti Eduthal", in the premises of the 4th respondent temple during the "Masi" Thiruvizha commencing on 16.02.2021 by flag hosting (கொடி ஏற்றுதல்) on the basis of the petitioner representation dated 03.02.2021 in strict accordance with the standard operating procedures as prescribed by the Government of Tamil Nadu.

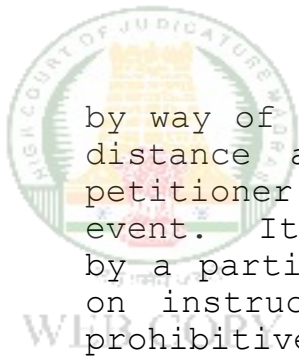
For Petitioner : Mr.Shankar Ganesh.R.G

For Respondents : Mr.G.Arjunan,
Government Advocate for R1 & R3
Mr.K.P.Narayanakumar,
Special Government Pleader for R2
Mr.S.Manohar for R4.

ORDER

Heard the learned counsel for the petitioner, the learned Special Government Pleader for the second respondent, the learned Government Advocate for the first and third respondents and the learned counsel for the fourth respondent. With their consent, the writ petition is taken up for final disposal.

2.The petitioner wants to perform the petition mentioned event



by way of thanks giving. The petitioner is said to be located at a distance about 2 kms from the fourth respondent temple. The petitioner also states that only five members will take part in the event. It is not a social event. It is only a thanks giving done by a particular family. The learned Government Advocate of course on instructions from the jurisdictional Tahsildar submitted that prohibitive orders are in force.

3.I am of the view that the right of the petitioner to offer worship cannot be prevented. It is also all the more so because that the petitioner had made it clear that he will abide by any conditions that may be stipulated by this Court. The petitioner states that five members of his family will go in a procession from the house to the temple and offer their worship. The petitioner agrees that there will not be any drum beating or bursting of firecrackers nor will there be shouting of any provocative slogan before any place of worship. The petitioner states that he will strictly abide by such restrictions. The learned standing counsel also states that angapradakshinam will not be allowed. The petitioner states that whatever the directives that may issued by the trustee of the temple will be adhered to.

4.Recording the undertakings given by the petitioner given through his counsel, the writ petition stands allowed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

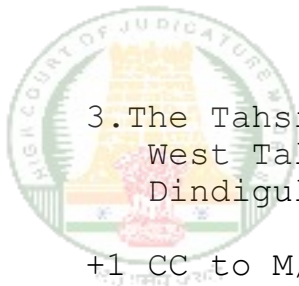
Sub Assistant Registrar(CS)

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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,
Dindigul District.
- 2.The Joint Commissioner,
Hindu Religious & Charitable Endowment,
Ellis Nagar, Madurai.



3.The Tahsildar,
West Taluk,
Dindigul District.

+1 CC to M/s.S.MANO HAR, Advocate (SR-5248[F] dated 16/02/2021)

+1 CC to M/s.R.G.SHANKAR GANESH, Advocate (SR-5399[F] dated
16/02/2021)

**W.P (MD) No.2699 of 2021
15.02.2021**

sss (CO)
KK(16.02.2021) 3P 6C