



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2021

CORAM :

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THE HONOURABLE **Mrs.JUSTICE R.HEMALATHA**

W.P.(MD)No.4560 of 2021

C.Andichamy

...Petitioner

/Vs./

1.The Joint Commissioner,
Hindu Religious Charitable Endowment Department,
Madurai - 625 016.

2.The Thasildar, Thasildar Office,
Thirumangalam Taluk,
Madurai District.

3.The Superintendent of Police,
K.Pudur, Madurai District, Madurai.

4.The Deputy Superintendent of Police,
Thirumangalam, Madurai District.

5.The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam, Madurai District.

6.Thangavairan @ N.S.Vairan

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents 1 to 5 to grant permission to conduct Mahasivarathiri Masi Thiruvizha and associated programs from 10-02-2021 to 12-02-2021 at Urappanur Arulmigu Sundaravalli Amman Thirukoil, Sithalai Village, Thirumangalam Taluk, Madurai District.

For Petitioner	:	Mr.P.Balamurugan
For Respondent No.1	:	Mr.K.P.Narayana Kumar
For Respondent Nos.2 to 5	:	Mr.S.Chandra Sekar
		Additional Public Prosecutor

ORDER

By consent, this Writ Petition is taken up for final hearing at the admission stage itself.



2.Mr.S.Chandra Sekar, learned Additional Public Prosecutor accepts notice for the respondents.

3.Mr.P.Balamurugan, learned counsel appearing for the petitioner contended that though the petitioner has sought for a larger relief of granting permission to conduct Mahasivarathiri Massi Thiruvizha and associated events from 10.02.2021 to 12.02.2021 at Urappanur Arulmigu Sundaravalli Amman Thirukoil, Sithalai Village, Thirumangalam Taluk, Madurai, the petitioner is restricting his prayer to conduct Mahasivarathiri alone in the said Temple. He also undertook to send necessary petition in this regard through e-mail to the Registry.

4.On an earlier occasion, this Court, in W.P.(MD)No.3232 of 2020 batch, dated 18.02.2020, has passed the following orders:

"9.In view of the same, the Joint Commissioner, H.R and C.E., Department, Madurai, is directed to conduct the temple festival following the aforesaid orders made in W.P.(MD) Nos.1400 and 2509 of 2018 which has been subsequently, followed in W.P.(MD)No.3932 of 2019. It is made clear that no Pooja Box shall be carried, no first honour will be given to anybody and no cultural program will be conducted. The Inspector of Police, Thirumangalam Taluk Police Station, Tirumangalam, Madurai District shall grant permission to conduct the festival by imposing reasonable conditions and give adequate protection and bandobust to the Joint Commissioner of HR & CE Department, Madurai and other devotees in conducting the festival in a peaceful and effective manner."

5.On the basis of the above order, a peace committee meeting was also convened in this regard, between the parties concerned.

6.Mr.K.P.Narayana Kumar, learned counsel who files vakalat on behalf of the first respondent, contended that as per the directions of this Court, in W.P.(MD)No.3232 of 2020 batch, they are ready to conduct the temple festival in the aforesaid temple.

7.In the facts and circumstances, this Court directs the fifth respondent to consider the representation of the petitioner dated 13.02.2021 and pass appropriate orders in accordance with law, based on findings and on merits, within a period of two weeks from the date of receipt of a copy of this order/uploading of the order.



8. With the above observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

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/ /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 Thasildar, Thasildar Office,
Thirumangalam Taluk,
Madurai District.
2. The Superintendent of Police,
K. Pudur, Madurai District, Madurai.
3. The Deputy Superintendent of Police,
Thirumangalam, Madurai District.
4. The Inspector of Police,
Thirumangalam Taluk Police Station,
Thirumangalam, Madurai District.

+1 CC to M/s.P.BALAMURUGAN, Advocate (SR-9100[F] dated 05/03/2021)

W.P. (MD) No. 4560 of 2021

04.03.2021

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