



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

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THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 19813 of 2020 and

W.M.P. (MD) Nos. 16503 & 16505 of 2020

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S. Rajaram,
S/o. R. Sinnasamy Nadar,
Managing Trustee,
Om Sri Ayyappan Arakattalai,
24/72, Kamaraj Veedi,
Rayagiri 627 764, Sivagiri Taluk,
Tenkasi District.

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Sanakarankoil,
Tenkasi District.

2. The Tahsildar,
Sivagiri Taluk,
Tenkasi District.

3. The Inspector of Police,
Sivagiri police station,
Sivagiri Taluk,
Tenkasi District.

4. K. Valangaipuli,
Ex. Trustee,
Ohm Sri Ayyappan Arakattalai,
125, Kottai Vinayagar Street,
Rayagiri - 627 764, Sivagiri Taluk,
Tenkasi District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the peace committee meeting proceeding dated 16.12.2020 in Na.Ka.A2/150/2020 of the second respondent and quash the same and issue a direction against respondents 1 to 3 to permit the petitioner's trust to perform Mandala Pooja, Kanni Pooja, Lord Ayyappa Idol Procession and Annadhanam in a place outside the disputed property and in Varasakthi Vinayagar Koil, Rayagiri.

For Petitioner

: Mr. T. S. R. Venkataramana



For R-1 to R-3

: Mr.M.Thilagar,
Government Advocate.

For R-4

: Dispensed with.

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ORDER

Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for respondents 1 to 3.

2. Considering the nature of relief to be granted, notice to respondents 3 and 4 is dispensed with.

3. It appears that there is a civil dispute pertaining to the affairs of Ohm Sri Ayyappan Arakattalai. The revenue authorities had conducted peace committee meetings and minutes of the proceedings had also been drawn up on 16.12.2020. In fact in this writ petition, the meetings drawn up on the said occasion are being assailed. I indicated to the learned counsel that the peace committee minutes do not have any legal validity as such and that therefore they may not be amenable to formal challenge in writ proceedings. Thereupon, the learned counsel appearing for the petitioner on instructions made a statement that the only aim of the petitioner would be to perform Annadhanam on 08.01.2021 from 9.00 a.m. till 3.00 p.m. The petitioner makes a further statement that Annadhanam will be conducted outside the disputed premises and in the premises of Varasakthi Vinayagar temple in the same town. He also states that the petitioner will not display the name board of Om Sri Ayyappan Arakattalai.

4. The petitioner is ready to abide by any regulatory condition that may be imposed by the respondent authorities. Recording the said submission, this writ petition stands disposed of with the following directions:-

a) The petitioner in his individual capacity is at liberty to perform Annadhanam in the premises of Varasakthi Vinayagar temple, Rayagiri, Sivagiri Taluk, Tenkasi District, on 08.01.2021 from 9.00 a.m. till 3.00 p.m. The name board of the Arakattalai in question will not anywhere be placed in the premises and the petitioner will not take advantage of this order in the pending dispute between himself and the fourth respondent. In other words, the rights of the fourth respondent shall not be affected in any manner by the outcome of this writ petition.

b) It is open to the first respondent to issue appropriate proceedings in this regard to ensure the smooth conduct of the event. The conditions to be imposed by the first respondent will be keeping in mind the welfare of the devotees and participants.



c) The petitioner as well as Ayyappa devotees can of course perform customary poojas and ceremonies. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

pmu

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 Revenue Divisional Officer,
Sanakarankoil,
Tenkasi District.
2. The Tahsildar,
Sivagiri Taluk,
Tenkasi District.
3. The Inspector of Police,
Sivagiri police station,
Sivagiri Taluk,
Tenkasi District.

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