



WMP.Nos.12358 & 19792 of 2022
In WP No.5993 of 2022

Dr.ANITA SUMANTH,J.

These petitions are filed seeking grant leave to the petitioner herein to reopen the main writ petition in W.P.No.5993 of 2022 which was disposed by this Court on 16.03.2022. The writ petition had been filed seeking a mandamus directing the respondents to constitute a peace committee meeting in Rangappanoor Village, Sangarapuram Taluk to authorise the leadership of Naatu Gounder pedigree for conducting the temple festival of the Arulmigu Sri Subramanyar Thirukovil (in short 'temple') on the basis of the petitioners' representations.

2. The petitioners are members of the Naatu Gounder community and had sought a direction to the respondents, being the District Collector, Police and the Revenue Authorities to pass orders on their representation and keep the temple celebrations in abeyance till such time peace committee passes an appropriate order. The writ petition had been decided in the presence of the learned counsel for the petitioner as well as the then Special Government Pleader, who had accepted notice, and appeared for the respondents.

3. From paragraphs 1 to 8 of order dated 16.03.2022, the history of the matter has been noticed as follows:



The petitioner claims to be a resident of Rangappanoor Village, Sankarapuram Taluk, Kallakurichi District. He belongs to the Naatu Gounder Community. This writ petition touches upon the conduct of the Panguni Uthiram Festival for the Mariyamman, Murugan, Veydippar and Meenarpan Koils, which are temples in the Village.

2. According to the petitioner, the temple festival was being conducted under the leadership of one Chinnamakku Gounder and after his demise by one D. Munusamy Gounder. In relation to the proposed festival on 18.03.2022, the allegation is that there are certain unsavory events that had transpired in the village and the entire temple festivities are assuming a political colour which is contrary to the procedure and practice that had been followed over the years.

3. Despite representations having been made by the petitioner to ensure that the festival is conducted in a peaceful and harmonious manner and in line with established procedure, the petitioner would claim that no credence is being given to his representations, leading to heightened tension in the village.

4. Mr. D. Ravichander, learned Special Government Pleader who has accepted notice for all respondents is fully armed with instructions to put forth their defence. He would submit that the representations of the petitioner have not been ignored, but have resulted in the conduct of not one but two peace committee meetings.

5. The first was convened on 07.03.2022 when the members of



the warring factions, named as 'A' and 'AA' factions were called. However, the meeting was not fruitful and thus, the meeting was re-convened on 10.03.2022. Proceedings in Na.Ka.No.A1/839/2022 dated 16.03.2022 are circulated capturing the aforesaid narration.

6. On 10.03.2022 the names of the participating members are set out which include the name of the petitioner in one of the groups. The petitioner would attempt to brush aside the aforesaid proceedings stating that it was not conducted in a proper manner and did not have due regard to the submissions of either side.

7. Be that as it may, proceedings dated 16.03.2022 conclude recording that the attending members had agreed to engage in a peaceful manner in the conduct of the temple festival and this, in the considered view of the Court, is the proper approach to the entire matter.

8. What appears to have triggered the acrimony and dissent is perhaps certain pamphlets that were circulated among the public giving a political colour to the proceedings. The petitioner thus apprehends that the entire festival has, and will assume the colour of a political event rather than a temple festival, as intended.

4. In paragraph 9, I had reiterated the position that the festival must be conducted in a harmonious, inclusive and peaceful manner having regard to the sentiments of members of the community. In furtherance thereof, directions had been issued at para 10 to the Revenue Divisional Officer and the Tehsildar, R3 and R4 in the writ petition, to confer with members of all communities, determine the



proper manner in which the festival has been conducted over the years and be in attendance on 18.03.2022 to ensure a proper and peaceful conduct of the festival.

5. Hence, the order of the Court is clear to state that the festival must go as scheduled on 18.03.2022 and prior thereto R3 and R4 were directed to confer with members of the various communities so as to determine the proper manner in which the festival had been conducted over the years and follow the same procedure, in the interests of tradition, continuity and uniformity.

6. The present miscellaneous petition seeking the grant of leave, has been filed by a third party to the writ petition, who is a member of a community other than the Naatu Gounder Community. In this petition, he alleges that there was no enquiry by R3 and R4 to conduct the festival after taking note of the sentiments of all communities. According to him, the festival had gone ahead on 18.03.2022 ignoring the sentiments of the village communities.

7. This matter had come up on 05.07.2022, when learned Special Government Pleader had accepted notice for the respondents. Learned SGP was asked to file a report of compliance of the directions at para 10 of order dated 16.03.2022. No report has been filed as directed. Instead, on 18.07.2022 a compilation of documents was circulated, containing resolutions of the peace committee meetings conducted on 07.03.2022 and 10.03.2022 and letters dated



16.03.2022 and 23.03.2022 from the RDO to the learned Government Pleader.

8. Communication dated 16.03.2022 refers to the peace meetings conducted on 07.03.22 and 10.03.22, both of which have been taken note of in order dated 16.03.22. Letter dated 23.03.22 is after the conduct of the Festival and is wholly silent about any meeting conducted prior to the Festival itself. Admittedly, no meeting has been conducted involving the members of all the village communities as specifically directed by this Court.

9. Learned SGP would seek to justify this, stating that the meetings held on 07 and 10.03.2022 should be taken to suffice. If that were so, there would have been no necessity for this Court to have directed R3 and R4 to hold a meeting involving members of all village communities. I thus find this argument unacceptable and in rank contempt of the specific direction of this Court.

10. In my order dated 16.03.2022, I have referred to the earlier two peace committee meetings on 07.03.2022 and 10.03.2022 and also noted the fact that there was participation by members of other communities in those meetings. However, it had been the writ petitioners' specific submission that the sentiments of the village communities had not been taken note of in proper perspective in those meetings, which is why R3 and R4 were directed to constitute another peace committee meeting to take into account the sentiments of all communities and



resolve the same.

11. I had not indicated any probable/acceptable procedure for the temple festival and had left such matters for the decision of the authorities, as they would be best positioned to take note of all relevant exigencies including law and order. The direction was simple, that a meeting be convened including members of all communities prior to conduct of the festival, the views of all communities be solicited as to the manner of conduct of the festival over the years and the festival be conducted in accordance therewith, as scheduled.

12. It is one thing had the respondents had made a bonafide attempt at convening a meeting, but failed for any reason including paucity of time or non-co-operation of parties. However, it is an entirely different thing for them to maintain that meetings held earlier will suffice, in the teeth of a direction of this Court to convene another meeting before the Festival. This is nothing, but rank contempt of order dated 16.03.2022, that has become final.

13. In light of the admitted position that the authorities concerned have admittedly not taken into account the sentiments of the village communities in the decision regarding the temple festival, these miscellaneous petitions are ordered. It needs to be verified as to whether there is any truth or justification in the allegation levelled by the petitioner in this MP as well as in the objection to the



document compilation circulated by the respondents, that the main writ petition was a collusive attempt by the writ petitioner and the respondents to monopolise the conduct of the temple festival. WP.No.5993 of 2022 stands restored to the file of the court and will be listed for hearing on 04.08.2022 with the petitioner, in this miscellaneous petition, impleaded therein as R6.

14. In the meanwhile, and as R3 and R4 have, admittedly and wilfully, neglected to comply with the directions of this Court at paragraph 10 of order dated 16.03.2022 as noticed above, costs of Rs.1,00,000/- is imposed upon R3 and R4, payable to the Cancer Institute, Adyar, Chennai-20, prior to the next date of hearing. Memo of compliance be filed.

29.07.2022

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Note: Registry is directed to carry out necessary amendments to the cause-title of the writ petition.



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