



W.P.No.16439 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30/6/2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Writ Petition No.16439 of 2022

Arulmigu Soleswarar Swamy
Alagarayaperumal
Sellandiamman Temple
rep. By its Trustee
Mr.Venkatachalam
Mallsamudram East Village
Thiruchengode Taluk
Namakkal District.

...

Petitioner

Vs

1. The Commissioner
Hindu Religious & Charitable Endowment
Administration Department
Uttamar Gandhi Salai
Nungambakkam
Chennai 600 034.
2. The Joint Commissioner
Office of the Hindu Religious &
Charitable Endowment
Erode 1.
3. The District Collector
Namakkal District
Namakkal.

Page No:1/6



W.P.No.16439 of 2022

4. The Revenue Divisional Officer
Tiruchengodu Taluk
Namakkal District.

5. The Superintendent of Police
Office of Superintendent of Police
Namakkal District
Namakkal.

6. The Deputy Superintendent of Police
Office of Superintendent of Police
Thiruchengode
Namakkal District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to facilitate and provide the adequate Police protection for the Temple car festival scheduled from 4/7/2022 to 12/7/2022 for Arulmighu Soleswarar Swamy Alagarayaperumal Sellandiamman Temple, Thiruchengode, Namakkal District scheduled to be conducted by virtue of order passed by Joint Commissioner, HR & CE Department, vide Na.Ka.No.3062/2022/A4 dated 11/5/2022.

For Petitioner
For Respondents

...
...

Mr.P.G.Thiyagu
Mr.S.Yashwanth
Additional Government Pleader
(HR & CE)
for R.R.1 and 2.
Mr.A.Gokulakrishnan
Additional Public Prosecutor
for R.R.3 to 7

Mr.N.Manokaran
for Mr.S.Sathish Kumar
Mr.D.Murali
Mr.T.Subramani and
Mr.S.Jawahar
(B parties in RDO Proceedings)



W.P.No.16439 of 2022

ORDER

WEB COPY

This writ petition has been filed to direct the respondents to facilitate and provide adequate Police protection for the Temple car festival scheduled from 4/7/2022 to 12/7/2022 for Arulmighu Soleswarar Swamy Alagarayaperumal Sellandiamman Temple, Thiruchengode, Namakkal District, scheduled to be conducted by virtue of the order passed by Joint Commissioner, HR & CE Department, vide Na.Ka.No.3062/2022/A4, dated 11/5/2022.

2. Heard Mr.N. Manokaran, learned counsel for the petitioner, Mr.S.Yashwanth, learned Additional Government Pleader (HR & CE) for the respondents 1 and 2 and Mr.A.Gokulakrishnan, learned Additional Public Prosecutor for the respondents 3 to 7.

3. The learned counsel appearing for the petitioner submitted that they are the present Trustees of the temple. Hence they have the right to conduct the festival.

4. Mr.N.Manokaran, learned counsel appearing for the persons who were arrayed as “B” parties, in the Proceedings of Revenue Divisional Officer,

Page No:3/6



W.P.No.16439 of 2022

viz., M/s. Seshadri, Sathish Kumar, Murali, Subramani and Jawahar, submitted that the dispute is between three groups and various Communities are also involved. Therefore, without making them as a party, Police protection cannot be ordered.

5. Mr.S.Yashwanth, learned Additional Public Prosecutor (HR & CE) submitted that they have already passed an order permitting the petitioner to conduct the festival.

6. Now, it is brought to the notice of this Court that as the report of the Inspector of Police apprehends Law & Order problem, the Revenue Divisional Officer issued notice to both sides, vide letter No.NA.01/2022/C, dated 29/6/2022, to conduct enquiry, particularly in the form of Peace Committee. Summons was issued for appearance of both sides, on 1/7/2022 before the Revenue Divisional Officer.

7. When the Police themselves apprehending Law & Order problem, this Court cannot direct the Police to give a protection, unless the rights of the parties finally decided in the competent Civil Court or some other form.



W.P.No.16439 of 2022

WEB COPY

8. In such a view of the matter, both sides are directed to appear before the Revenue Divisional Officer and in the Peace Committee Meeting, if any decision is arrived, the Police shall take a decision, providing Police protection, considering the ground reality in the area.

9. With the above direction, this writ petition is disposed of. No costs.

30/6/2022

mvs.

Index: Yes/No

Internet: Yes

Speaking/Non-speaking order



WEB COPY



W.P.No.16439 of 2022

N.SATHISH KUMAR,J

mvs.

To

1. The Commissioner
Hindu Religious & Charitable Endowment
Administration Department
Uttamar Gandhi Salai
Nungambakkam
Chennai 600 034.
2. The Joint Commissioner
Office of the Hindu Religious &
Charitable Endowment
Erode 1.
3. The District Collector
Namakkal District
Namakkal.
4. The Revenue Divisional Officer
Tiruchengodu Taluk
Namakkal District.
5. The Superintendent of Police
Office of Superintendent of Police
Namakkal District
Namakkal.
6. The Deputy Superintendent of Police
Office of Superintendent of Police
Thiruchengode
Namakkal District.

W.P. No.16439 of 2022

30/6/2022

Page No:6/6