



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 23.03.2022

DELIVERED ON : 01.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE PARESH UPADHYAY

and

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P(MD)No. 97 of 2022

Subramanian

.. Petitioner

Vs

- 1.The Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam High Road,
Chennai - 600 034.
- 2.The Joint Commissioner,
HR&CE Office of the Joint Commissioner,
HR&CE Thanjavur,
Thanjavur District.
- 3.The District Collector,
Thanjavur District.
- 4.The Superintendent of Police,
Thanjavur District, Thanjavur.
The Tahsildar,
Pattukottai Taluk,
Thanjavur District.
- 5.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.
- 6.The Deputy Superintendent of Police,
Pattukottai Division,
Thanjavur District.
- 7.The Inspector of Police,
Sethubava Sathiram Police Station,
Thanjavur District.
- 8.The Executive Officer,
Sri Adikalam Kattha Ayyanar Temple,
Pukkarambai,
office at
Sri Durgai Amman Temple,
Palani, Kanchi post,



Pattukottai Taluk,
Tanjore District.

9.Ramprasad

10.V.Sivaji

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus directing respondents 1,2 and 8 to issue notification for the kumbavisagam for the Sri Adaikalamkatha Ayyanar Temple, Pukkarambai, Pattukottai Taluk, Thanjavur District within the stipulated period fixed by this Court.

For Petitioner : Mr.R.Rajaraman

For Respondents : Mr.P.Subbaraj,
Special Government Pleader
for R1, R2

: Mr.K.Balasubramani,
Special Government Pleader
for R3 to R7

: Dr.Ramesh Mahadev for R8

: Mr.P.Thirumahilmaran
for R9, R10

ORDER

(Order of the Court was made by PARESH UPADHYAY, J.)

1. This petition is styled as public interest litigation. The prayer clause in the writ petition reads as under:-

"For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ or order of direction or any other writ in the nature of Writ of mandamus directing respondents 1,2 and 8 to issue notification for the kumbavisagam for the Sri Adaikalamkatha Ayyanar Temple, Pukkarambai, Pattukottai Taluk, Thanjavur District within the stipulated period fixed by this Court."

2. While issuing notice on this petition on 25 February 2022, this Court had inter-alia noted as under:-

"...4. Going by averment of the petitioner himself, the petitioner was Village Panchayat President of Pukkarambai Village for the period of 1996 to 2001. The tenth respondent is his real younger brother. ..."



3. Heard learned advocates for the respective parties.

4. Having heard learned advocates for the respective parties and having considered the material on record this Court finds that, the dispute is essentially between two groups of same village. The petitioner and contesting tenth respondent are real brothers. The petitioner was village president from the year 2006 to 2011. His political era appears to have been over. Now it is his younger brother, who is calling the shots. It is under these circumstances, the social superiority between these two brothers has culminated in this writ petition. We find that, the grievance of the petitioner need not be examined in the form of public interest litigation. This writ petition therefore needs to be dismissed.

5. For the above reasons, this petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssm

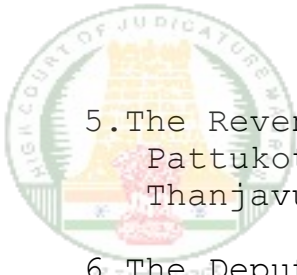
To:-

1.The Commissioner,
Hindu Religious and Charitable Endowment Board,
Nungambakkam High Road,
Chennai - 600 034.

2.The Joint Commissioner,
HR&CE Office of the Joint Commissioner,
HR&CE Thanjavur,
Thanjavur District.

3.The District Collector,
Thanjavur District.

4.The Superintendent of Police,
Thanjavur District,
Thanjavur.
The Tahsildar,
Pattukottai Taluk,
Thanjavur District.



5.The Revenue Divisional Officer,
Pattukottai,
Thanjavur District.

6.The Deputy Superintendent of Police,
Pattukottai Division,
Thanjavur District.

7.The Inspector of Police,
Sethubava Sathiram Police Station,
Thanjavur District.

+1 CC to M/s.R.RAJARAMAN, Advocate (SR-16201[F] dated 01/04/2022)

+1 CC to M/s.P.THIRUMAHILMARAN, Advocate (SR-16150[F] dated
01/04/2022)

+1 CC to M/s.SPL GP (SR-16349[F] dated 04/04/2022)

W.P (MD) No.97 of 2022
01.04.2022

SG (CO)
KB (08.04.2022) 4P 11C