



Cont.P(MD)No.1182 of 2022

BEFORE THE MADURAI BENGH OF MADRAS HIGH COURT

DATED: 30.08.2022

CORAM

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Cont.P(MD)No.1182 of 2022

T.Balasundaram

... Petitioner/Petitioner

Vs.

- 1.Selvaraj,
The Assistant Commissioner,
Hindu Religious and Charitable Endowments Trust,
40, Muthusamy Nagar,
Thiruppathur Road,
Sivagangai-630561.
- 2.Dhanalakshmi
The Thakkar,
Arulmigu Santhi Veeran Swamy Temple,
Mallakottai Village,
Singampunari Taluk,
Sivagangai District.
- 3.Madhusudhanan Reddy,
The District Collector,
Collectorate Building,
Sivagangai District.
- 4.Senthilkumar,
The Superintendent of Police,
Sivagangai,
Sivagangai District.
- 5.Athmanadan,
The Deputy Superintendent of Police,



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Thiruppathur,
Sivagangai District.

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6. Anthony Chelladurai,
The Inspector of Police,
S.S.Kottai Police Station,
Sivagangai District.

7. Kayalselvi,
The Thasildar,
Singampunari Taluk,
Sivagangai District.

8. S. Sasipandidurai ... Contemnors/Respondents

PRAYER: Contempt Petition filed under Section 11 of Contempt of Courts Act, to punish the contemnor, for his deliberate and willful disobedience of the order of this Court dated 01.07.2022, made in Writ Petition in W.P.(MD).No.14000 of 2022.

For Petitioner : Mr.J.Jeyakumaran

ORDER

This Contempt Petition is filed to punish the contemnor for his deliberate and willful disobedience of the order of this Court dated 01.07.2022, made in Writ Petition in W.P.(MD).No.14000 of 2022.

2. Earlier, the petitioner herein had filed a Writ Petition in W.P.(MD).No.14000 of 2022 before this Court, seeking to ensure smooth and peaceful conduct of Sri Arulmigu Santhi Veeran Temple Festival ending with Eruthu Kaattu Vizha and procession on 13.07.2022 at



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Mallakottai Village, Sivagangai District, wherein, the primary concern of the petitioner was that the sixth respondent, namely, Sasipandidurai was claiming himself to be a special person, wearing headgear, having umbrella lifted to him and the person planned to enter into the temple on the festival day. Apprehending such danger, the petitioner filed the present petition. At that time, the temple authorities, Police and revenue officials appeared and ensured that no special privilege would be permitted inside the temple to any one and the festival would be conducted in a peaceful manner. On 03.07.2022, the festival was conducted in a peaceful manner.

3.Now, this Contempt Petition is filed by the petitioner, originally, arraying eight respondents, who are the Government officials and private party, of which, the respondents 1 to 7 are revenue officials and temple authorities. Thereafter, the case was posted before this Court for maintainability and the petitioner withdrawn the allegations made against the respondents 1 to 7 and made endorsement giving up the respondents 1 to 7.

4.Now, the Contempt Petition is only as against the eighth



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respondent, namely, Sasipandidurai. This Eruthu Kaattu Vizha was conducted in three temples by adjacent villagers of less than five kilometres distance. In each temple, one of the Ambalathars claims special privileges, compelled the villagers to give them special status and also wearing headgear and holding umbrella at procession. With regard to the Kattanipatti Village, one C.Balasubramaniyan had filed a Writ Petition in W.P.(MD).No.13654 of 2022 against the special privileges attempted to be given to S.Raja Sethu Ramalingam. This Court disposed of the same with conditions, one of the conditions was that the authorities were directed to ensure orderliness inside the temple by not allowing anybody with headgear and other symbolic articles to project themselves with special status, all the devotees and villagers are to be treated equally and no special honour to be given to any person and no procession is allowed inside the temple and its precincts. Likewise, the Revenue Divisional Officer to post sufficient number of revenue officials to monitor the happenings in Manthai and also to ensure that there is no procession or any kind of act marring the peace of the village. In the above order, since the word 'from Manthai to the temple, procession was recorded in Kattanipatti village' and no procession outside the temple also held. Since these words missing in the order in W.P.(MD).No.14000



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of 2022, taking advantage of the same, the respondent Sasipandidurai was in procession by wearing headgear and having umbrella moving around with sound and music from Manthai to the temple, even some Karagam and also having Senkol carried between the Manthai to the temple. Inside the temple, he was not allowed to proceed in procession. In view of the same, the petitioner filed this petition, so that in future, such procession are restricted and no special privilege given to the respondent Sasipandidurai, both inside the temple and in the Manthai or any other place, during the temple festival.

5.The learned Special Government Pleader appearing for the respondents 1 to 7 submitted that though the official respondents given up, they are present before this Court to inform that no special privilege given to the said Sasipandidurai inside the temple and ensured that one and all are treated equally and the temple festival held peacefully on 03.07.2022. He further submitted that no outward incident happened on the festival day. The petitioner filed this petition to only cause harassment to the officials. Now the villagers are in a calm atmosphere having conducted the festival peacefully. The petitioner an apprehension for the happenings in the next year temple festival, filed this Contempt



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Petition, which is not proper, cannot be entertained. Hence, he prayed for dismissal.

6.Considering the submission and perusal of the materials available on records, it is seen that the festival has been completed in a peaceful manner on 03.07.2022. The next festival to be conducted during the month of March, 2023, if the petitioner apprehends that taking advantage of missing of certain words in the order, the respondent Sasipandidurai might create trouble, the petitioner is at liberty to approach this Court, at that time seeking appropriate order. This Court finds that though the petitioner apprehension is a misgiving for the present. No reason to involve contempt jurisdiction.

7.With the above observation, this Contempt Petition is dismissed.

No costs.

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Internet :Yes
Index :Yes / No
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vsg

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