



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the First day of August Two Thousand and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
AND
The Hon`ble Mrs.Justice S.SRIMATHY

WA (MD) . No.782 of 2022

N. Karuppaiah,

... Appellant/3rd Respondent

-Vs-

1 S. Sivakumar, ... 1st Respondent/Petitioner

2 The Tahsildar
Devakottai Taluk, Sivagangai District

3 The Executive Officer,
Arulmigu Muthumariamman Thirukovil
Srirangapuram, Arunagiripattinam,
Devakottai, Sivagangai District.

... 2&3 Respondents/Respondents

4 The Commissioner,
HR & CE Department, Chennai.

(4th Respondent is Suo motu Impleaded vide order of this court, dated 29.07.2022 passed in W.A(MD)No.782 of 2022)

Prayer in W.A(MD)782/2022:-

Writ Appeal filed under Clause 15 of Letters Patent, praying to prefer this Memorandum of Grounds of Writ Appeal against the order dated 07.07.2022 in W.P. (MD). No. 14425/2022.

Prayer in WP(MD). 14425/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 2nd respondent herein to take immediate steps should be taken to follow the procedures followed in previous years as per the order of the Joint Commissioner, HR and CE, Sivagangai to conduct the Aadi Thiruvizha-2022 of Arulmigu Muthumariamman



Thirukoil, situated at Srirangapuram, Arunagiripattinam, De. l, Sivagangai District, based on the petitioners representation dated 28.06.2022 within a stipulated time that may be fixed by this Hon'ble Court and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of this case .

ORDER:- This writ Appeal coming on for orders on this day and upon perusing the Judgment dated 29.07.2022 and the memorandum of Grounds and upon hearing the arguments of Mr.N.Dilip Kumar, Advocate for the Appellant and of Mr.S.Madhavan, Advocate for the First Respondent and of Mr.J.Ashok, Additional Government Pleader on behalf of the Respondents 2 and 4 and of Mr.C.Guhaseelarupan, Advocate for the Third Respondent, this Court made the following order:

(Order of the Court made by S.S.SUNDAR, J.)

Despite this Court passed an order in the open Court on 29.07.2022, regarding the manner in which taking of Sakthi Karagam should be done, the learned Counsel for the appellant submitted that the Writ Petitioner's group have not allowed the Executive Officer to fix the person to take Sakthi Karagam in the manner directed by this Court.

2.Hence, the Executive Officer of the Temple is now directed to get police protection and conduct the festival under his supervision. The Executive Officer of the Temple is directed to approach the District Superintendent of Police, Sivagangai for adequate police protection to conduct the festival and the District Superintendent of Police, Sivagangai is directed to give adequate police protection for the smooth conduct of the festival and to ensure that the order of this Court with regard to Sakthi Karagam is implemented in its letter and spirit. In case, the respondent group is not inclined to give the names of persons representing their group to perform Sakthi Karagam, the Executive Officer shall select the person among the persons nominated by the appellant group by drawing lots among the persons so nominated.

Sd/-

Assistant Registrar

// True Copy //

01/08/2022

Sub Assistant Registrar(CS)



To

1. The Tahsildar
Devakottai Taluk, Sivagangai District
2. The Executive Officer,
Arulmigu Muthumariamman Thirukovil
Srirangapuram, Arunagiripattinam,
Devakottai, Sivagangai District.
3. The Commissioner,
HR & CE Department, Chennai.
4. The Superintendent of Police , Sivagangai District,
Sivagangai.

+1 CC to Mr.C.GUNASEELARUPAN, Advocate SR.No. 35171
+1 CC to Mr.N.DILIPKUMAR, Advocate SR.No. 35161

ORDER DATED : 01/08/2022

=====
ORDER
=====

WA (MD) . No.782 of 2022

Giving direction and etc.
as stated within.

SUN (CO)
TR (01.08.2022) 3P 7C