



W.P(MD).No.17294 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2022

WEB COPY

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD).No.17294 of 2022

N.R.Shanmugam

... Petitioner

Vs.

- 1.The District Collector,
Pudukkottai District.
- 2.The Superintendent of Police,
Pudukkottai District.
- 3.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
- 4.The Inspector of Police,
Vallatharakottai Police Station,
Pudukkottai District.
- 5.The Executive Officer,
HR and CE,
Senthakudi Malai Mariamman Temple,
Near Vittoba Perumal Kovil,
Pudukkottai District.
- 6.Ramaiah
- 7.Thirunavukarasu



W.P(MD).No.17294 of 2022

8. The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department, Pudukkottai District.

... Respondents

(R-8 is suo motu impleaded vide Court Order dated 03.08.2022 in W.P.(MD).No.17294 of 2022).

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.1 to 5 to issue permission to the petitioner for performing Kumbabishegam to Arulmigu Kulanthai Vinayagar Temple, Keelaiyur, S.Kulavaipatti, Alangudi Taluk, Pudukkottai District on 05.09.2022 by considering the petitioner's representation dated 22.07.2022.

For Petitioner : Mr.R.Balakrishnan

For R-1 to R-4
and R-8 : Mr.M.Lingadurai,
Special Government Pleader.

For R-5 : Mr.G.Mathavan,
Standing Counsel

For R-6 and R-7 : Mr.A.Mohan

ORDER

The petitioner had sent a representation dated 22.07.2022 to the respondents to grant permission for performing Kumbabishegam to Arulmigu Kulanthai Vinayagar Temple, Keelaiyur, S.Kulavaipatti, Alangudi Taluk, Pudukkottai District on 05.09.2022. Since no action has been taken, he has filed this Writ Petition.



2. The contention of the petitioner is that the petitioner is residing in Therukkupatty, Keelayur, Pudukottai District. In the said village, there is a temple namely Arulmigu Kulanthai Munishwarar Temple. In the aforementioned temple, the main deity is lord Kulanthai Muneeswaran and there are various Parivara deities. The petitioner is the member of the village temple Poojarigal Welfare Board. The Kumbabishegam is to be held on 05.09.2022 for which the sixth and seventh respondents ignoring the petitioner and other persons who have interest in the temple kept away from conduct of Kumbabishegam. In fact, the petitioner had participated in Balalayam now he has been sidelined. Hence, the petitioner had sent a representation dated 22.07.2022, but no action taken.

3. The learned Special Government Pleader appearing for the respondents 1 to 4 and 8 submitted that the Kumbabishegam committee has been constituted on the directions of the temple authorities. Now, the renovation work is almost completed and the Kumbabishegam is to be shortly held on 05.09.2022, proposal has been sent by Assistant Commissioner to the Commissioner office, Hindu Religious and Charitable Endowments Department, Chennai to get approval. Once permission is obtained,



Kumbabishegam will be held on that date. The temple committee had taken all efforts to conduct Kumbabishegam. The temple is under the control of the Hindu Religious and Charitable Endowments Department and with the guidance of the Hindu Religious and Charitable Endowments Department officials, Kumbabishegam will be held.

4. The learned Special Government Pleader appearing for the respondents 1 to 4 and 8 further submits that on instructions, there is no commotion or issues of any law and order problem in the village.

5. The learned Standing Counsel appearing for the fifth respondent submitted that on the Chairmanship of the seventh respondent, a Kumbabishegam committee formed, with the members of the villagers including the Inspector, Hindu Religious and Charitable Endowments Department. This committee formed by the Assistant Commissioner, Hindu Religious and Charitable Endowments Department vide his proceedings in செ.மு.ந.க.1447/2018/௨1 dated 29.05.2018. The committee taken all steps. In fact the seventh respondent made arrangements, incurred expenses for building up the temple with stones. He also overseen the construction of compound wall. The committee and its members are involved in renovating



W.P(MD).No.17294 of 2024

the temple and also in the Kumbabishegam works. The petitioner got some personal grievance against the seventh respondent and the sixth respondent who is none other than the father of the seven respondent, and making some complaints against the ground reality. There is no difference of opinion among the villagers and the entire villagers are actively participating and awaiting the Kumbabishegam, to be conducted in a grand manner.

6. The learned counsel appearing for the sixth and seventh respondents filed his counter affidavit along with the typed set. From the typed set, it is seen that the Kumbabishegam invitation printed not only for this year, earlier years festival invitation in the name of Keelaiyur Village, and not in any individuals names. He submits that an identical invitation as of villagers has been printed by the petitioner and one S.Dhanapal Ambalam in the name of Iraipani matrum Samoogapani Arakattalai projecting they are in fore front in preparation of Kumbabishegam. According to the seventh respondent, there is no such association or group. The petitioner to gain prominence and importance, making false allegations and sending complaints and now filed this petition.



7. I have considered the matter in the light of the submissions made by learned counsels for all parties and perused the records.

8. It is seen that the seventh respondent is none other than the Kumbabishegam committee chairman, a committee has been nominated along with six others. Five of them are villagers and the sixth person is the Hindu Religious and Charitable Endowments Inspector. The Kumbabishegam is conducted with the permission and co-operation of the Hindu Religious and Charitable Endowments Department, the date for Kumbabishegam is fixed on 05.09.2022, the invitation is in the name of villagers. The temple is a public temple, under the control of the Hindu Religious and Charitable Endowments. The Department recognized the seventh respondent as the President of Kumbabishegam committee. In view of the same, the petitioner's complaint and apprehension seems to be a misconceived one. In view of the same, this court is not inclined to entertain this Writ Petition. However, all the villagers are participating in the Kumbabishegam, the petitioner herein is free to participate in the Kumbabishegam. There is no restriction or curtailment to any one to participate in the Kumbabishegam.



W.P(MD).No.17294 of 2022

WEB COPY

9. Hence, this Writ Petition is dismissed. There shall be no order as to costs.

25.08.2022

Index : Yes / No
Internet : Yes/ No
Nsr

To

- 1.The District Collector,
Pudukkottai District.
- 2.The Superintendent of Police,
Pudukkottai District.
- 3.The Tahsildar,
Alangudi Taluk,
Pudukkottai District.
- 4.The Inspector of Police,
Vallatharakottai Police Station,
Pudukkottai District.
- 5.The Executive Officer,
HR and CE,
Senthakudi Malai Mariamman Temple,
Near Vittoba Perumal Kovil,
Pudukkottai District.
- 6.The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department, Pudukkottai District.



WEB COPY



W.P(MD).No.17294 of 2022

M.NIRMAL KUMAR, J.

Nsr

W.P(MD).No.17294 of 2022

25.08.2022