



W.P(MD).No.20853 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2022

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THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

W.P(MD).No.20853 of 2022

and

W.M.P.(MD).No.15120 of 2022

K.Ramesh

... Petitioner

Vs.

1.The Joint Commissioner,
Tamil Nadu Hindu Religious
and Charitable Endowments Department,
Ellis Nagar,
Madurai.

2.Manithevar
3.N.Aruchunan
4.K.Palani
5.Sandhanam
6.Alliraja
7.Sivakumar
8.K.Joseph Sekar
9.Mayil Murugan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to take necessary action for stopping conducting festivals and giving first honors at A/M Ekanathar Temple, A/M Pattatharasi Amman Temple, A/M Urkala Ayyanar Temple, A/M Muthalamman Temple, A/M Kaliamman Temple, A/M Vadaku Vachelliamman Temple, A/M Ayyanar Temple, A/M



W.P(MD).No.20853 of 2022

Vinayagar Temple and Perumal Temple, A/M Madakarupasamy Temple during the Tamil Month of Puratassi on the basis of the petitioner's representations dated 11.08.2022.

For Petitioner : Mr.R.G.Shankar Ganesh

For 1stRespondent : Mr.P.T.Thiraviam
Government Advocate

ORDER

This writ petition has been filed seeking for a mandamus to direct the first respondent to take necessary action for stopping conducting festivals and giving first honors at A/M Ekanathar Temple, A/M Pattatharasi Amman Temple, A/M Urkala Ayyanar Temple, A/M Muthalamman Temple, A/M Kaliyamman Temple, A/M Vadaku Vachelliamman Temple, A/M Ayyanar Temple, A/M Vinayagar Temple and Perumal Temple, A/M Madakarupasamy Temple during the Tamil Month of Puratassi on the basis of the petitioner's representations dated 11.08.2022.

2.Mr.P.T.Thiraviam, learned Government Advocate takes notice for the first respondent. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3.The grievance of the petitioner is that during the Tamil Month of Puratassi, the annual festival to be conducted in the abovesaid temples situated at Kinnimangalam Village and the first honor would be given to one ChinniveeraThevar and his legal heirs. Due to dispute with regard to the first honor, a suit has been filed in O.S.No.196 of 2004 before the District Munsif Court, Tirumangalam and the same was dismissed on 26.11.2007. Thereafter, an appeal was filed in A.S.No.14 of 2008 before the Subordinate Court, Tirumangalam, which was also dismissed on 04.09.2010. Thereafter, there was some commotion and confusion in celebration of the festivals of Pattatharasi Amman Temple in Kinnimangalam village. During Sivarathiri festival, 144 proceedings have been initiated and in the meanwhile, the respondents 2 to 4 filed O.A.No.5 of 2011 under Section 63(e) of Act 22/1959 and the same is pending. On 19.02.2020, the Revenue Divisional Officer, Thirumangalam conducted a Peace Committee Meeting with regard to the conduct of festival and issued certain restrictions and specifically given a direction that no person is to be given first respect or any special privilege or status. From the year 2008 to till date, the festival conducted without touching upon first respect right. This being so, now the respondents 2 to 8 are taking steps to have first respect honor is to be given to them arbitrarily and hence, the petitioner sent representation to the first respondent. Despite



receipt of the representation, the officials not taken any steps. Hence, the present petition has been filed.

4.The learned Government Advocate appearing for the first respondent submitted that the representation of the petitioner has been received by the first respondent and the same has been considered and sent to the authorities. Since O.A.No.5 of 2011 is pending with regard to the same subject, no specific order has been passed. Further, it is made clear that for the past several years, due to dispute among the rival groups, the festival is conducted by a fit person appointed by the temple authorities and no individual, either from the side of the petitioners or from the side of the respondents 2 to 9 are given any special privilege, Status or honor. The procedure, so far followed in conducting the festival, would be followed till any order is passed by the appropriate authorities.

5.Considering the submission and perusal of the materials available on records, it is seen that O.A.No.5 of 2011 is pending and the same is yet to be decided. Further, it is stated that no individual either on the side of the petitioner or on the side of the respondents 2 to 9 would be given any special honor, respect and all are to be treated equally. It is the temple authorities to



W.P(MD).No.20853 of 2022

conduct the festival and no individual to have special status.

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6.Recording the same, this Writ Petition is disposed of. No costs.

Consequently, the connected Writ Miscellaneous Petition is closed.

02.09.2022

Index : Yes / No

Internet : Yes/ No

vsg

To

The Joint Commissioner,
Tamil Nadu Hindu Religious
and Charitable Endowments Department,
Ellis Nagar,
Madurai.



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W.P(MD).No.20853 of 2022

M.NIRMAL KUMAR, J.

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W.P(MD).No.20853 of 2022
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W.M.P.(MD).No.15120 of 2022

02.09.2022