



WEB COPY



W.P.No.2705 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.2705 of 2023

1.P.Govindan

2.Raja

... Petitioners

-VS-

1.The Joint Commissioner,
The Tamil Nadu Hindu Religious &
Endowment Charitable Board (HR & CE),
Kottai Mariyamman Koil Campus,
Salem – 636 001.

2.The Assistant Commissioner,
The Tamil Nadu Hindu Religious &
Endowment Charitable Board (HR & CE),
Kottai Mariyamman Koil Campus,
Salem – 636 001.

3.The Executive Officer,
The Tamil Nadu Hindu Religious &
Endowment Charitable Board (HR & CE),
Kottai Mariyamman Koil Campus,
Salem – 636 001.

4.The Superintendent of Police,
Mettur,
Salem District.



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5. The Inspector of Police,
Nangavalli Police Station,
Salem District.

... Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents 1 to 3, to grant permission to conduct the temple festival scheduled to be held from 05.02.2023 to 06.02.2023 at Arulmigu Sri Vetraya Perumal Temple, situated at Chinna Soragai, Mettur Taluk, Salem District and consequently direct the respondents 4 and 5 to provide police protection for above said festival by considering the petitioner representation dated 24.12.2022.

For Petitioners : Mr.K.Balu

For Respondents : Mr.S.Santhosh
Government Advocate (Crl.side)

ORDER

The Writ Petition has been filed to directing the respondents 1 to 3, to grant permission to conduct the temple festival scheduled to be held from 05.02.2023 to 06.02.2023 at Arulmigu Sri Vetraya Perumal Temple, situated at Chinna Soragai, Mettur Taluk, Salem District and consequently direct the respondents 4 and 5 to provide police protection for above said festival by considering the petitioner representation dated 24.12.2022.



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2. The learned counsel for the petitioners submitted that, there was a Judgment and decree in favour of predecessors in O.S.No.823 of 1933. Since then, the petitioners' predecessor had been conducting temple festivals, including Thaipooasam festival. From 2017, there started a dispute between the rival groups and therefore, a Peace Committee Meeting was held on 08.02.2017. The said temple festival is proposed to be held from 05.02.2023 to 06.02.2023 and petitioners expect disturbance from the rival groups. Therefore, this petition seeking police protection is filed.

3. Mr.K.Karthikeyan, learned Government Advocate (HR&CE) appearing for respondents 1 to 3 submitted that, in view of the rivalry between two groups in conducting the temple festival, as per decision taken in the Peace Committee Meeting held on 08.02.2017, the HR&CE is alone conducting temple festival regularly from the year 2017.

4. In the light of the submissions made by the parties, this Court directs the 4th respondent to consider the petitioner's representation dated 24.12.2022,



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taking into account the prevailing law and order situation and pass appropriate orders on merits and in the manner known to law. This Court is of the view, that HR&CE Department shall continue to conduct temple festival as is being conducted by them from the year 2017.

5. With the above directions, this Writ Petition is disposed of. No costs.

02.02.2023

(2/2)

Index:Yes/No

Speaking/Non-speaking order

Neutral Citation Case:Yes/No

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Note:Issue order copy on 03.02.2023.



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To

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Salem District.
- 5.The Inspector of Police,
Nangavalli Police Station,
Salem District.
- 6.The Public Prosecutor,
High Court, Madras.



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G.CHANDRASEKHARAN, J.,

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