



WEB COPY



W.P.No.6592 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.6592 of 2023
and
W.M.P.Nos.6660 & 6661 of 2023

P.V.Shanmugam

... Petitioner

Vs.

1. The District Collector,
Ranipet District,
Ranipet.
2. The Revenue Divisional Officer,
Ranipet District, Ranipet.
3. The Tahsildar,
Walajah Taluk, Ranipet District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Mandamus, to call for the records relating to the impugned order Na.Ka.UN/A5/1291/2022 dated 12.04.2022 passed by the 2nd respondent, quash the same and consequently direct the respondents herein to grant permission for the Chitirai month Pooja in a simple manner for petitioner's deity namely Arulmighu Kinatrakanni @ Pappathi Kanniyamman, situated at Paaghavveli Village, Walajah Taluk, Ranipet



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District on the 1st Sunday of Chithirai month ie., on 16.04.2023 from 02.00 p.m., to 06.00.p.m., and for the subsequent years.

For Petitioner : Mr.D.Baskar

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

The Writ Petition has been filed to call for the records relating to the impugned order Na.Ka.UN/A5/1291/2022 dated 12.04.2022 passed by the 2nd respondent, quash the same and consequently direct the respondents herein to grant permission for the Chitirai month Pooja in a simple manner for petitioner's deity namely Arulmighu Kinatrukanni @ Pappathi Kanniyamman, situated at Paaghavveli Village, Walajah Taluk, Ranipet District on the 1st Sunday of Chithirai month ie., on 16.04.2023 from 02.00 p.m., to 06.00.p.m., and for the subsequent years.

2.The learned counsel appearing for the petitioner submitted that petitioner's and his family members' Kuladeivam is Arulmighu Kinatrukanni @ Pappathi Kanniyamman and it is situated at Paaghaveli Village, Walajah Taluk, Ranipet District. This temple belongs to his family members consisting of five members. Their deity is placed in the well all



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through the year. Petitioner and his family members are following an archetypical customary practice for their deity, where they would take the deity out of water from the well only on the 1st Sunday of Chithirai month. After finishing all pooja and other customary practices, they again leave the deity in the well. However, 2nd respondent passed an order in Na.Ka.UN/A5/1291/2022 dated 12.04.2022 restraining the celebration of any temple festival including small festivals celebrated for family deity by Pangalis. Therefore, petitioner gave a representation dated 09.12.2022 seeking permission to celebrate temple festival on 1st Sunday of Chithirai month of 2023, however, the same was not considered so far, necessitating the filing of this petition.

3. The learned Government Advocate (Crl. Side) submitted that 1st respondent passed the above said order only in a view that there is a possibility of law and order problem.

4. Considered the rival submissions and perused the records. It is seen that 1st respondent passed an order in connection with celebration of temple festival at Throwpathi Amman Temple. Petitioner seeks permission to



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celebrate festival at Arulmighu Kinatrukanni @ Pappathi Kanniyamman, which is according to them is their "Kula deivam".

5. In view of the above, the order passed by the 2nd respondent in Na.Ka.UN/A5/1291/2022 dated 12.04.2022 has no application to the petitioner's Kula Deivam and therefore, this Court directs the respondents to consider the petitioner's representation dated 09.12.2022 and pass appropriate orders immediately.

6. With the above observations and directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed.

07.03.2023

Index :Yes/No
Internet:Yes/No
Sma



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To

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1. The District Collector,
Ranipet District,
Ranipet.
2. The Revenue Divisional Officer,
Ranipet District, Ranipet.
3. The Tahsildar,
Walajah Taluk, Ranipet District.
4. The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J

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