



W.P.(MD)No.20531 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:24.08.2023

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THE HONOURABLE DR.JUSTICE D.NAGARJUN

W.P.(MD)No.20531 of 2023

Ramanathan

... Petitioner

Vs

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Ilayangudi Taluk,
Sivagangai District.

3.The Inspector of Police,
Salaigiramam Police Station,
Sivagangai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to comply with the order of the second respondent dated 28.07.2023 by giving police protection for the “Sri Navaneetha Gopalakrishna Perumal Temple” Varuda Abisegam Festival and related programs scheduled to be conducted on 04.09.2023.

For Petitioner : Mr.N.Ananda Kumar

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal side)



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ORDER

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This Writ Petition is filed under Article 226 of the Constitution of India by way of Mandamus seeking for a direction to the respondent Police to grant permission, as per the representation, dated 26.07.2023 to conduct Varuda Abisegam Festival at “Sri Navaneetha Gopalakrishna Perumal Temple” on 04.09.2023.

2. It is submitted by learned counsel for the petitioner that there are three temples in the village, out of which, there were disputes in respect of the two temples and last year, when the festivals in respect of those two temples were scheduled to be performed, objections were raised by the other group and on which, a Peace Committee meeting was conducted and as per the resolution passed by the Peace Committee Meeting and subsequently by this Court in W.P. (MD).No.22640 of 2022, dated 30.09.2022, the temple festival was conducted peacefully under the supervision of the Tahsildar.

3. It is also submitted that when the petitioner intends to perform the temple festival in respect of the third Temple, viz., Sri Navaneetha Gopalakrishna Perumal Temple, the Tahsildar has given permission for conducting the festival in the Temple and also directed the Police to provide suitable directions. But the respondent Police have not granted permission, thereby, sought for suitable directions.



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4. Mr.D.Selvanayagam, Advocate, representing Mr.Sethuraman, the intervener / opposite party, by name, Mr.Sethuraman, has submitted that they did not have nay objection for conducting the temple festival by the petitioner and submitted that there are directions of this Court in W.P.(MD).No. 22640 of 2022 to collect tax / donations for the temple festival, the petitioner is totally ignored the intervening party and other members and not collected the donation, thereby, they raised objections for conducting the temple festival by the petitioner on 04.09.2023.

5. Learned Government Advocate (Criminal Side), on the other hand, submits that the Tahsildar has granted permission, however, on account of the disputes with the rival party, the permission is not accorded.

6. Considering the circumstances and the submissions made by both parties and on going through the records including the orders passed by this Court in W.P.(MD).No.22640 of 2022, the respondent Police are directed to provide permission for the petitioner to conduct temple festival on 04.09.2023 as sought for only on satisfying that the petitioner has collected the tax / donation from the rival parties as directed and also by following the directions passed by this Court in W.P.(MD).No.22640 of 2022, dated 30.09.2022. The

<https://www.mhc.tn.gov.in/judis>

said directions are extracted hereunder:



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“Considering the above said facts and circumstances of the case and also the submissions made by the learned counsel on either side, this Court directs the second respondent/Tahsildar to conduct a peace committee meeting on 29.09.2022 [Thursday] after giving advance information to all the Village people on 28.09.2022 [Wednesday] and hold meeting regarding conduct of Varusha Abhisegam festival in Navaneetha Gopala Krishna Temple subject to the following conditions:-

(i) There will be no first respect to any person, whoever may be the owner or anybody.

(ii) There will be no ceremony, which will prohibit any person from participating in the festival.

(iii) All the parties concerned are entitled to pull the rope of the Car.

(iv) Anndhanam will be provided to everyone, whoever visits the Temple irrespective of their caste or religion.

(v) There will be no cultural activities”

7. With this observation, this Writ Petition is disposed of. No

costs.

24.08.2023



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Internet:yes/no

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To

- 1.The District Collector,
Sivagangai District, Sivagangai.
- 2.The Tahsildar,
Ilayangudi Taluk,
Sivagangai District.
- 3.The Inspector of Police,
Salaigiraramam Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN, J.

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