



W.P.No.26680 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26680 of 2024

R.Mariyappan @ Durai

... Petitioner

Vs.

- 1.The District Collector
O/o The District Collectorate Office,
Nagapattinam – 613 001.
- 2.Superintendent of Police,
O/o The Superintendent of Office,
Nagapattinam – 613 001.
- 3.Revenue Divisional Officer
O/o Revenue Divisional Office,
Vedaranyam – 614 810
Nagapattinam District.
- 4.Tahsildar
O/o the Tahsildar Office,
Vedaranyam – 614 810
Nagapattinam District.
- 5.The Inspector of Police,
Vedaranyam Police Station,
Vedaranyam – 614 810
Nagapattinam District.

6.N.V.K.Raju

7.T.Venkat

... Respondents



W.P.No.26680 of 2024

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1, 3 and 4 to give permission to conduct the Vinayagar Chathuthi Festival on 07.09.2024 peacefully with the protection of the respondents 2 and 5 for the Varasiddhi Vinayagar Temple, Vedaranyam.

For Petitioner : Mr.N.Pragasam

For Respondents : Mr.U.Baranidharan for R1, R3 and R4
Additional Government Pleader
Mr.L.Baskaran for R2 and R5
Government Advocate (Crl. Side)

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents 1, 3 and 4 to give permission to conduct the Vinayagar Chathurthi Festival on 07.09.2024 peacefully with the protection of the respondents 2 and 5 for the Varasiddhi Vinayagar Temple, Vedaranyam.

2.The learned counsel appearing for the petitioner submitted that about 300 years ago the Saiva Vella Pillai Community migrated from Yazhpanam to Vedaranyam and the Varasiddhi Vinayagar Temple was established at Narikundu Kulam, Vedaranyam by one late



W.P.No.26680 of 2024

Kandasami Pillai who belongs to the said Community and it is a private Temple. The Yazhpana Theruvasigal Arapanigal Sangam was established at Thirumalaikadu, Vedaranyam about 50 years ago and the petitioner is the convener of the said Sangam and the said Sangam is taking steps to conduct Vinayagar Chathurthi Festival on 07.09.2024. Whiles, the respondents 6 and 7 distributed pamphlets and collected funds and donations from the general public, thereby law and order problem arose and peace committee meeting was convened on 03.09.2024, however, there was no amicable settlement.

3.The learned counsel appearing for the petitioner fairly submitted that though the keys of the Temple are with the petitioner, however, this Court may issue direction to the fourth respondent/ Tahsildar to take over the Varasiddhi Vinayagar Temple, Vedaranyam for the purpose of celebrating Vinayagar Chathurthi Festival from 06.09.2024 to 08.09.2024 and this Court may permit the petitioner and respondents 6 and 7 to work out the remedy in respect of the management of the Temple before the competent Civil Court.

4.Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the



W.P.No.26680 of 2024

respondents 1, 3 and 4 and the learned Government Advocate (Crl.

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Side) appearing for the respondents 2 and 5 and they raise no objection for allowing the fourth respondent to perform Vinayagar Chathurthi Festival. Since this Court is not inclined to pass any adverse order as against the respondents 6 and 7, notice to the respondents 6 and 7 is dispensed with.

5.Considering the fair submission made by the learned counsel appearing for the petitioner, this Court issues the following directions:

(i)The fourth respondent/ Tahsildar is directed to perform the Vinayagar Chathurthi Festival with the help of the fifth respondent/ Inspector of Police and allow the petitioner as well as the respondents 6 and 7 and general public to celebrate Vinayagar Chathurthi Festival from 06.09.2024 to 08.09.2024.

(ii)The petitioner and the respondents 6 and 7 are permitted to work out the remedy in respect of the management of the Temple before the competent Civil Court.

6.This Court makes it clear that this order is passed only for the purpose of celebrating Vinayagar Chathurthi Festival from 06.09.2024



W.P.No.26680 of 2024

to 08.09.2024 and after the Festival, the petitioner and respondents 6 and 7 are granted liberty to work out the remedy in the manner known to law.

7. With the above directions and observations, this writ petition stands disposed of. No costs.

06.09.2024

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

1. The District Collector
O/o The District Collector Office,
Nagapattinam – 613 001.
2. Superintendent of Police,
O/o The Superintendent of Office,
Nagapattinam – 613 001.
3. Revenue Divisional Officer
O/o Revenue Divisional Office,
Vedaranyam – 614 810
Nagapattinam District.
4. Tahsildar
O/o the Tahsildar Office,
Vedaranyam – 614 810
Nagapattinam District.
5. The Inspector of Police,

5/6



W.P.No.26680 of 2024

Vedaranyam Police Station,
Vedaranyam – 614 810
Nagapattinam District.

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M.DHANDAPANI,J.
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W.P.No.26680 of 2024

06.09.2024