



Cont. P. No.1338 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2024

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

Cont. P. No.1338 of 2024

K.Annadurai

... Petitioner

Vs.

1.M.Megalingam
Sengunthar Uravin Murai Sangam,
143, 12, Gandhi Nagar,
Ellis Nagar Post,
Dharapuram Taluk,
Tiruppur District.

2.S.Mathivanan
Sengunthar Uravin Murai Sangam,
Peramiam Post,
Kolathupalayam via
Dharapuram Taluk,
Tiruppur District.

... Respondents

PRAYER: Contempt Petition filed under Section 11 of the Contempt of Courts Act to punish the respondents for wilful disobedience of the order of this Court dated 27.02.2023 made in W.P.No.28175 of 2022.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.K.S.Jeyaganesan



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ORDER

The petitioner is present. The two respondents are present. The learned counsel for the petitioner is present and learned counsel for the 2 respondents is also present.

2. The Contempt Petition has been filed complaining violation of the order of this Court dated 27.02.2023 in W.P.No.28175 of 2022. By that order, it had been held that the respondents herein, should embrace the petitioner and others and maintain peace and unity in the entire area and permit them to also participate in the temple festivals of Peramiyam village and Dharapuram Taluk and Tiruppur district/Kamatchi Amman, Egananda Swamy Thanner Pandhal and Mahakaliamman Temple. It had been stated that however the respondents have not permitted the participation of the petitioner to the extent to which the petitioner expected. Therefore, the present Contempt Petition has been filed.

3. Notice had been issued to the respondents and they are present in Court. Though counter affidavit had been filed, the first respondent had stated in the counter affidavit as follows:-



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“10. I respectfully submit that on 17.09.2023, the Special General Body meeting was convened under the presidentship of K.Palanisamy, R.Sivarajan and R.Palanisamy and in that meeting several resolutions were passed. The petitioner too had attended the meeting and he was appointed as an Executive Committee Member (Arangavalar Kuzhu) for conducting Kumbabishegam of Sri Vinayagar, Sri Mahaliamman, Sri Bhagavathiamman and Sri Muniappaswamy Temple. (copy of resolutions is enclosed in the typed set).

11. I respectfully submit that on 17.04.2023, I have resigned from the post of “Nattamai” and in my place one Mr.R.Sivarajan was selected and elected by the community people. I reiterate that I did not commit any act of contempt of court and has followed the orders passed by this Hon'ble Court and I am having greatest respect and regard to the orders of this Hon'ble Court. I once again tender my unconditional apology, if this Hon'ble Court finds that I have committed contempt of



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Court.”

The second respondent had stated in the counter affidavit as follows:-

“10. I respectfully submit that on 17.09.2023, the Special General Body meeting was convened under the presidentship of K.Palanisamy, R.Sivarajan and R.Palanisamy and in that meeting several resolutions were passed. The petitioner too had attended the meeting and he was appointed as an Executive Committee Member (Arangavalar Kuzhu) for conducting Kumbabishegam of Sri Vinayagar, Sri Mahaliamman, Sri Bhagavathiamman and Sri Muniappaswamy Temple. (copy of resolutions is enclosed in the typed set).

11. I respectfully submit that I being the Secretary of the said Samudayam is prepared to receive the money from the petitioner if it is paid to me as per the rate fixed in the special meeting held on 17.04.2023. I state that the petitioner is well aware of the above developments, because he has participated in the subsequent meeting



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held on 17.09.2023. I reiterate that I did not commit any act of contempt of court and has followed the orders passed by this Hon'ble Court and I am having greatest respect and regard to the orders of this Hon'ble Court. I once again tender my unconditional apology, if this Hon'ble Court finds that I have committed contempt of court."

4. A rejoinder had been filed by the petitioner herein to the said statement of the first respondent wherein, it had been stated that the said respondents had not invited the petitioner or collected money from the petitioner for the festival during Thai Pongal Vizha, Kannum Pongal Poo Aattril Vidum Vizha, Kaavadi Vizha and such other festivals. It is a grievance that the first respondent had also handed over his authority as "Nattamai" to another individual. It is therefore stated that the petitioner had been deliberately prevented from effective participation in the temple festivals.

5. This Court had therefore called upon the petitioner to give certain dates wherein the petitioner and those who are affiliated with him could



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conduct festivals in the temple. Accordingly, it had been stated that on 12.10.2024 and 13.10.2024, the petitioner may be permitted to conduct festival in the temple. A list of members of the petitioner has also been given. It is therefore held that the petitioner should be permitted to conduct the festivals on those two days in the aforementioned temple. The respondents may also facilitate conducting such festivals in the temple in a peaceful manner by the petitioner. Let peace and harmony continue and the respondents may continue to involve the petitioner in all the temple festivals.

6. Recording as above, the Contempt Petition stands closed.

31.07.2024

Index :Yes/No
gsa

To

1.M.Megalingam
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