



W.P.(MD) No.16387 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.16387 of 2024

Velusamy

... Petitioner

/vs./

- 1.The District Collector,
O/o. District Collector,
Thenkasi District.
- 2.The Revenue Divisional Officer,
Revenue Divisional Office,
Sankarankovil,
Thenkasi District.
- 3.The Tahsildar,
Taluk Office,
Tiruvengadam Taluk,
Thenkasi District.
- 4.The Joint Commissioner,
Hindu Religious and Charitable Endowment Department,
Tirunelveli District.
- 5.The Executive Officer,
Sri Sangu Vinayagar Kovil,
Umaiyathalaivanpatti,



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Tiruvengadam Taluk,
Thenkasi District.

6.The Inspector of Police,
Thiruvengadam Police Station,
Thiruvengadam,
Thenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent Nos. 4 to 5 to permit the petitioner and his community peoples to conduct worship with Pooja in Sri Sangu Vinayagar Temple, Umaiyathalaivanpatti, Thiruvengadam Taluk, Thenkasi District on 13.08.2024, based on the petitioner's representation dated 28.06.2024.

For Petitioner : Mr.J.Velmurugan

For R1 to R5 : Mr.P.Subbaraj
Special Government Pleader

For R6 : Mr.A.Albert James
Government Advocate (Crl.side)

ORDER

The petitioner has filed this writ petition for a Mandamus to direct the respondents 4 and 5 to permit the petitioner and his community peoples to conduct worship with Pooja in Sri Sangu Vinayagar Temple, Umaiyathalaivanpatti, Thiruvengadam Taluk, Thenkasi District on 13.08.2024, based on the petitioner's representation dated 28.06.2024.



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2.It appears that there is a criminal case in Crime No.100 of 2021 registered by the sixth respondent and the case is pending before the Special Court, Tirunelveli in Spl.S.C.No.31 of 2022. It appears that there are disputes between the members of the different communities regarding right to worship in the subject temple. The petitioner has given a representation dated 28.06.2024 for conducting worship with pooja in the said temple on 13.08.2024.

3.The learned Government Advocate (Crl.side) for the sixth respondent, on instructions, would submit that Spl.S.C.No.31 of 2022 is mature for trial after the charge sheet was framed and the next date of hearing is fixed on 08.08.2024.

4.It is further submitted that in the petitioner's undated representation sent to the Superintendent of Police, Tenkasi District, it is stated that the petitioner will abide by the previous practices that were invoked and an enquiry was held on 08.07.2024 before the Sub Inspector of Police, Thiruvengadam Police Station, Tenkasi District.



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5. Having considered the submissions made by the learned counsel for the petitioner, learned Special Government Pleader for the respondents 1 to 5 and the learned Government Advocate (Crl.side) for the sixth respondent and after dispensing with the notice on the fifth respondent, this Court is inclined to dispose of this writ petition by directing the respondents to consider the petitioner's representation dated 28.06.2024 by ensuring that the aforesaid temple festival is conducted without any communal tension and any risk of disturbance to the law and order situation.

6. The temple festival shall be conducted strictly in accordance with the practices that have been followed earlier without any discrimination to any member or any community, who are the devotees of the aforesaid temple. The sixth respondent is directed to ensure that sufficient number of police force is present during the temple festival. If required, the third respondent may also intervene with the members of different communities, who appear to have dispute with regard to the manner of conduct of the temple festival before the date of the temple festival.



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7.This Writ Petition stands disposed of, accordingly. No costs.

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Internet : Yes / No

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3.The Tahsildar,
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4.The Joint Commissioner,
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5.The Executive Officer,
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Tiruvengadam Taluk,

5/7



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Thenkasi District.

6.The Inspector of Police,
Thiruvengadam Police Station,
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C.SARAVANAN, J.

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