



**W.P.(MD).No.19150 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 08.08.2024**

**CORAM**

**THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

**W.P.(MD).No.19150 of 2024**

P.Muthukumar

... Petitioner

**Vs.**

1.The Joint Commissioner,  
Hindu Religious and Charitable Endowments,  
Sivagangai District,  
Sivagangai.

2.The Assistant Commissioner,  
Hindu Religious and Charitable Endowments,  
Sivagangai District,  
Sivagangai.

3.The Tahsildar,  
Taluk Office,  
Tiruppathur Taluk,  
Sivagangai District.

4.The Inspector of Police,  
Tiruppathur Town Police Station,  
Tiruppathur,  
Sivagangai District.

5.A.Anbuselvan

...Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 2 to grant permission to the petitioner's community people for peaceful worship



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of God and further to conduct Annathanam Event scheduled on 09.08.2024 in the southern part of Sri Suyambu Solaichatha Ayyanar, Vazhai Satha Ayyanar Temple situated in SF.No.14/1, Thiruvudaiyarpatti Village, Thiruppathur Taluk, Sivagangai District and consequently to direct the 4<sup>th</sup> respondent to provide protection for Annathanam event, based on the petitioner's representation dated 05.08.2024, within a time frame fixed by this Court.

|                |                                                        |
|----------------|--------------------------------------------------------|
| For Petitioner | : Mr.S.Ramanathan                                      |
| For R-1 to R-3 | : Mr.K.S.Selvaganesan<br>Additional Government Pleader |
| For R-4        | : Mr.M.Vaikam Karunanithi<br>Government Advocate       |
| For R-5        | : Mr.E.Mareeskumar                                     |

### **ORDER**

The present Writ Petition is filed for Mandamus directing direct the respondents 1 and 2 to grant permission to the petitioner's community people for peaceful worship of God and further to conduct Annathanam Event scheduled on 09.08.2024 in the southern part of Sri Suyambu Solaichatha Ayyanar, Vazhai Satha Ayyanar Temple situated in SF.No.14/1, Thiruvudaiyarpatti Village, Thiruppathur Taluk, Sivagangai District and consequently to direct the 4<sup>th</sup> respondent to provide protection for Annathanam event, based on the petitioner's representation dated 05.08.2024, within a time frame fixed by this Court.

2. The learned counsel for the fifth respondent sought to place reliance



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upon the order passed by this Court in W.P.(MD).No.18887 of 2023 dated 22.08.2023 to submit that the petitioner should be directed to receive the “Thalaikattu Vari”. The relevant portion of the order is extracted hereunder:

*“7. Recording the said report of the Tahsildar, this Court is of the considered opinion that the petitioner and other persons had not prevented anyone from participating in the 'Annathanam'. However, the facts remains the rival claimants did not participate in the 'Annathanam'. Since the festival is over, the petitioner and other persons are directed to include the rival claimants in the upcoming years 'Annathanam' and receive 'தலைக்கட்டு வரி”*

*8. With the above directions, this Writ Petition is closed. No Costs.”*

3. The learned counsel for the petitioner would submit that the petitioner would accept the said “Thalaikattu Vari” and filed a memo stating that it will be collected from the rival claimants, i.e., the fifth respondent, from this year. The relevant portion of the memo is extracted hereunder:

*“I, P. Muthukumar s/o. Periakaruppan, Hindu aged about years, residing at Thiruvudaiyarpatti Village, Thiruppathr Taluk, Sivagangai District has now filing this Memo regarding the compliance of this Hon'ble Court Order in WP(MD) No. 18887 OF 2023 dated 22.08.2023, i assure that for the upcoming "ANNATHANAM FESTIVAL" which is going to be conducted by our community people in the southside of the "Sri Suyambu Solaichatha*



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*Ayyanar, Vazhai Sathaya Ayyanar Temple", the "Thalaikattu Vari" will be collected from the rival claimants from this year on behalf of the Annathanam Festival conducting committee."*

4. The relevant portion of the memo filed by the fifth respondent is extracted hereunder:

*"It is submitted that the 5<sup>th</sup> Respondent herein also given a representation to all the concerned officials on 04.07.2024 by seeking implementation of the order passed by this Hon'ble in W.P (MD) No. 18887 of 2023 dated 02.08.2023, which is passed by this Hon'ble Court for the very same issue. In the said order this Hon'ble Court categorically given a direction to the Petitioner to receive தலைக்கட்டு வரி for Annathanam in the upcoming years. On following the said order no appeal has been filed by the Writ Petitioner as on today. Therefore the 5<sup>th</sup> Respondent also given a representation to all the Respondents to receiving the தலைக்கட்டு வரி on behalf of the Adithravidar peoples who are residing in the very same village, to that effect the 5<sup>th</sup> Respondent is ready to pay the தலைக்கட்டு வரி to the Annathanam Festival which is conducted each and every year in the last Friday of Tamil Aadi Month, and also the 5<sup>th</sup> Respondent will never claim any 1<sup>st</sup> honour in the present festival."*

5. Importantly, both the learned counsel for the petitioner as well as the learned counsel for the fifth respondent would submit that they would not make



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any claim for first honour as would be evident from the memo filed by the fifth respondent and paragraph 5 of the affidavit filed by the petitioner in support of the Writ Petition.

6. Recording the same, this Writ Petition stands closed. All the parties including the petitioner and the fifth respondent are expected to co-operate for the smooth conduct of the Annathanam festival. The Joint Commissioner/first respondent herein shall nominate a Thakkar to supervise the smooth conduct of the festival, including the receipt of the 'Thalaikattu Vari'. There shall be no order as to costs.

**08.08.2024**

Index : Yes / No  
Internet : Yes/ No  
Lm

**Note: Issue order copy by 08.08.2024.**

To

1.The Joint Commissioner,  
Hindu Religious and Charitable Endowments,  
Sivagangai District,  
Sivagangai.

2.The Assistant Commissioner,  
Hindu Religious and Charitable Endowments,  
Sivagangai District,  
Sivagangai.



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3.The Tahsildar,  
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4.The Inspector of Police,  
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**MOHAMMED SHAFFIQ, J.**

Lm

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