



W.P(MD)No.23432 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.23432 of 2024

and

W.M.P(MD)No.19834 of 2024

P.Hari Baskar
(Representing for himself & his
Nattamai Faction)

... Petitioner

Vs.

- 1.The Joint Commissioner,
Hindu Religious and Charitable Endowments
Department,
Trichy District.
- 2.The Assistant Commissioner,
Hindu Religious and Charitable Endowments
Department,
Trichy District.
- 3.The Superintendent of Police,
Trichy District.
- 4.The Inspector of Police,
Manachanallur Police Station,
Manachanallur,
Trichy District.
- 5.PR.Baskaran



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6.KVR Sridharan

7.PK.Gajendran

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to facilitate and permit the petitioner and his Naatamai 105 kudi members of Vaniha Vaiysya community to perform their customary practices in Arulmigu Sri Angalaparameswari Amman Temple, Manachanallur, Trichy on the occasion of Navarathiri every year, more specifically for the current year Navarathiri scheduled between 03.10.2024 to 11.10.2024 in consonance with the order of the 1st respondent in O.A.No. 7 of 2003 dated 23.08.2005 and based on the representation dated 20.09.2024.

For Petitioner : Mr.S.Ramanathan

For Respondents : Mr.K.S.Selvaganesan
Additional Government Pleader
for R.1 & R.2

Mr.M.Vaikkam Karunanithi
Government Advocate (Criminial Side)
for R.3 & R.4

Mr.N.Dilip Kumar for R.5 to R.7

ORDER

The writ petition is filed for Mandamus directing the respondents 1 and 2 to facilitate and permit the petitioner and his Naatamai 105 kudi members of Vaniha Vaiysya community to perform their customary



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practices in Arulmigu Sri Angalaparameswari Amman Temple, Manachanallur, Trichy on the occasion of Navarathiri every year, more specifically for the current year Navarathiri scheduled between 03.10.2024 to 11.10.2024 in consonance with the order of the first respondent in O.A.No.7 of 2003 dated 23.08.2005 and based on the representation dated 20.09.2024.

2. It is submitted by the learned counsel for the petitioner that the Navarathiri festival is scheduled between 03.10.2024 to 11.10.2024 in Arulmigu Sri Angalaparameswari Amman Temple situated at Manachanallur, Trichy District in consonance with the order passed by the first respondent in O.A.No.7 of 2003 dated 23.08.2005. The petitioner submitted a representation dated 20.09.2024 before the respondents 1 to 4 seeking permission to conduct the said festival. Since the same was not considered, the present petition is filed.

3. It is submitted by the learned counsel for the respondents 5 to 7 that they are ready and willing to comply with the orders of the first respondent in O.A.No.7 of 2003 dated 23.08.2005 in respect of the three applicants, namely, N.R.Venkatachalam Chettiyar, R.Vishvanathan and



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P.Hari Baskar. It was however submitted that the petitioner has been expanding the scope of the order in O.A.No.7 of 2003 as evident from the prayer which is not confined to the petitioner or applicants in the above O.A.No.7 of 2003, but that all 105 kudi members must be permitted to perform certain customary rights, which was objected to by the learned counsel for the respondents 5 to 7 on the premise that O.A.No.7 of 2003 itself was filed only by three members of the said 105 kudi members and not all the 105 kudi members. Therefore, the benefit of the order must be confined only to those three applicants in O.A.No.7 of 2003.

4. The learned counsel appearing for the respondents 5 to 7 would also submit that the petitioner has the constant habit of collecting donations, which in turn amounts to interfering with the administration, contrary to the undertaking given by the petitioner before this Court in W.P.(MD).No.19284 of 2022 dated 23.09.2022 that they would not interfere with the administration.

5. The learned Additional Government Pleader for the respondents 1 and 2 would submit that all the parties will have to comply with the



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order passed in O.A.No.7 of 2003 dated 23.08.2005 and the petitioner would have to abide by the said undertaking.

6. In view thereof, this Court is inclined to direct the respondents to comply with the order passed in O.A.No.7 of 2003 dated 23.08.2005 in respect of the applicants therein, i.e., P.Hari Baskar (the petitioner herein), N.R.Venkatachalam Chettiyar and R.Vishvanathan. The petitioner undertakes before this Court that he would not interfere with the management in any manner and would not collect any donations. The said undertaking is recorded. The respondents shall permit the petitioner, N.R.Venkatachalam Chettiyar and R.Vishvanathan to perform their customary practices.

7. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

01.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

Note: Issue order copy on 03.10.2024.



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To

WEB COPY

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Hindu Religious and Charitable Endowments
Department, Trichy District.
2. The Assistant Commissioner,
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Trichy District.
3. The Superintendent of Police,
Trichy District.
4. The Inspector of Police,
Manachanallur Police Station,
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MOHAMMED SHAFFIQ, J.

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