



CONT.P.(MD)No.2280 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CONT.P.(MD)No.2280 of 2023

in

WP(MD) No.21919 of 2023

E.Sankaran

... Petitioner

Vs

1.Mrs.Kavitha Priyadharshini,
The Joint Commissioner,
HR & CE Department,
Tirunelveli District.

2.Mr.Innos Kumar,
The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.

...Contemnors/Respondents

PRAYER: Contempt Petition filed under Section 10 of the Contempt of Courts Act, praying this Court to punish the contemnor/respondent for committing contempt of court by willfully disobeying the order passed by this Court in WP(MD) No.21919 of 2023, dated 12.09.2023.



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For Petitioner :Mr.K.P.Narayanakumar
For Respondents :Mr.V.R.Shanmuganathan

ORDER

The petitioner has filed a writ petition in WP(MD) No. 21919 of 2023 for a mandamus directing the respondents to provide adequate security for conducting festival in Selva Vinayagar Temple, Nallatchi Amman Temple, Thalavaimadasamy Temple and Utchimakali Amman Temple as per the existing customary rituals. This Court disposed of the writ petition by order dated 12.09.2023 in the following terms:-

“7.Since the festival is scheduled to be held this month, this writ petition is disposed of with the following directions:

“(i) The 2nd respondent shall appoint a Special Officer to the temples in dispute for conducting the festival for this year in a peaceful manner; The Special Officer shall ensure that all the community people are permitted to offer worship;

(ii) The 6th respondent shall provide adequate police protection for conducting the festival;

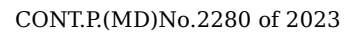


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(iii) If the other groups want to offer non-vegetarian food to the deity, they can file an application before the 2nd respondent / the Joint Commissioner adduce evidence, establish the same and get their grievance redressed and if such an application is filed, the 2nd respondent shall consider the same and pass appropriate orders, without being influenced by any of the observations made in this order. No costs. Consequently connected miscellaneous petition is closed.”

2. This contempt petition has been filed that the above order of this Court has not been complied with and the respondents have not taken any steps to conduct the temple festival as directed by this Court.

3. In response to this contempt petition, the learned Counsel for the 2nd respondent submits that the temple festival was conducted peacefully. However, during the festival, there was no offering of vegetarian food or non vegetarian food. This is also confirmed by



4. In reply, the learned counsel appearing for the petitioner by referring to the report of the Joint Commissioner, dated 28.09.2023 submitted that the temple festival was not conducted despite the orders of this Court by anticipating law and order problem. Therefore, this Court by order, dated 15.12.2023 ordered statutory notice to the respondents.

5. The Joint Commissioner appeared before this Court and also filed an affidavit stating that there are two groups among the devotees and they are diagonally opposite to each other. One group has insisted for vegetarian feast and the another group has insisted for non-vegetarian feast during the festival. Therefore, a meeting was conducted on 25.09.2023 by a Special Officer and it was attended by both the groups. Pillaimar community people has insisted for vegetarian feast and the others have insisted for non-



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vegetarian feast along with vegetarian feast. It was also suggested to conduct the festival separately. However both the groups have not agreed for the same. Therefore, apprehending law and order problem and to avoid any untoward incident, they have conducted the festival without any offering any feast (padayal) on that day. She further states that she has conducted an enquiry and as per the practice prevailing in the temple, vegetarian feast was made in front of the deity and non-vegetarian feast was made in the Artha Mandapam.

6.The learned counsel for the petitioner and the respondent have made a suggestion that in order to avoid law and order problem, the temple festival can be performed in the temple on two different dates.

7.In view of the submissions made by either side and considering the fact that the Department is taking some steps to solve the issue amicably between the groups, this Contempt petition is closed with a direction to the Joint Commissioner to find out an



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amicable solution between the two groups to perform Kodai festival
in a peaceful manner in the coming years.

19.01.2024

NCC :Yes/No
Index:Yes/No
Internet:Yes/No
vrn

To

- 1.Mrs.Kavitha Priyadharshini,
The Joint Commissioner,
HR & CE Department,
Tirunelveli District.
- 2.Mr.Innos Kumar,
The Inspector of Police,
Muneerpallam Police Station,
Tirunelveli District.



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B.PUGALENDHI, J.

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Order made in
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in
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