



W.P.(MD)No.9948 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2025

CORAM

THE HON'BLE MR.JUSTICE P.DHANABAL

W.P.(MD)No.9948 of 2025

T.Balakrishnan

... Petitioner

Vs.

1. The Deputy Superintendent of Police

Ambasamudram

Tirunelveli District

2. The Inspector of Police

Kallidaikurichi

Tirunelveli District

3. The Deputy Director

Kalakkad Mundanthurai Tiger Sanctuary

Teacher's Colon Bramadesam

Ambasamudram

Tirunelveli District

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, seeking a Writ of Mandamus, directing the respondents to grant permission for conducting Temple Festival Events and Cultural Programme (Karagattam and Paatukatcheri) with mike set to be held on 11.05.2025 to 13.05.2025 at Sri Vana Petchiamman, Sri Balakrishnan and Sri Kalyanamurugan Temple in Manjulai Estate, Ambasamuthiram



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Taluk, Tirunelveli District by considering the petitioner's representation dated 20.03.2025 and 21.03.2025 within the time stipulated by this Court

For Petitioner	: Mr.Henri Tiphange for Mr.. Robert Chandra Kumar
For Respondents No.1 and 2	: Mr. Veerakathiravan Additional Advocate General Assisted by Mr.M.Sakthi Kumar Government Advocate(Crl.Side)
No.3	: Mr.M.Senthil Ayyanar Government Advocate

ORDER

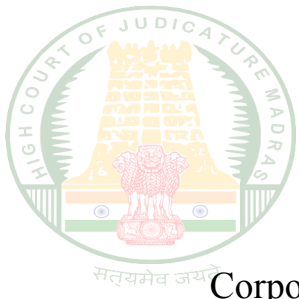
This Writ Petition has been filed by the petitioner to direct the respondents to grant permission for conducting Temple Festival Events and Cultural Programme (Karagattam and Paatukatcheri) with mike set to be held on 11.05.2025 to 13.05.2025 at Sri Vana Petchiamman, Sri Balakrishnan and Sri Kalyanamurugan Temple in Manjolai Estate, Ambasamuthiram Taluk, Tirunelveli District by considering the petitioner's representation dated 20.03.2025 and 21.03.2025 within the time stipulated by this Court.



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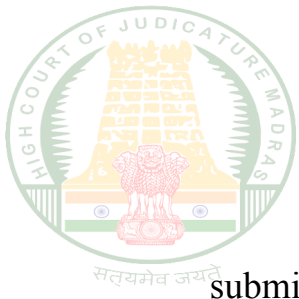
2. The learned counsel appearing for the petitioner would submit that grand father of the petitioner was working as a Supervisor in Manjulai Tea Estate. The grand parents of the petitioner spent their life time in the Manjulai area and his grand parents were buried there. The petitioner studied in Manjulai upto XI standard and he was working on temporary basis in the estate for some time and after that he completed ITI course and joined in a job with the Central Ground Water Board, which a Central Government Institution. The parents of the petitioner, relatives and residents of Manjaoli estate jointly constructed the temple known as Sri Vana Petchiamman Temple in Manjulai. Few years later Sri Balakrishnan and Sri Kalyabamurugan temple were also constructed adjacent to the said Sri Vanapetchiamman temple. For the past 70 years continuously the native of Manjulai are conducting the festival for the above temple and no untoward incidents or law and order issues arose at any point of time. Without any hindrance or harm to the nature as well as to the wild animals that live in the areas they conducted the said temple festival every year. Though the lease period of Bombay Burma Trading Corporation would come to end only on 12.02.2028, four years earlier that i.e., 30.05.2024 the Bombay Burma Trading



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Corporation announced that they were closing the company and offering voluntary Retirement Scheme to the present employees and the employees also filed writ petitions before this Court with various prayers. The State Government also announced a welfare scheme for Manjolai Estate residents and the High Court also disposed of all the matters. Thereafter on 03.12.2024 the High Court disposed of all the writ petitions with direction to implement the welfare schemes announced by the Government for a better rehabilitation than the announced welfare scheme. The residents of Manjolai filed SLP and the same is pending before the Hon'ble Supreme Court. The Government transport bus is regularly going to Manjolai area from Tirunelveli and Ambasamuthiram and the ration shops are running regularly and the post office is also functioning everyday. In the said premise the natives of Manjolai estate are planning to conduct the temple festival for the 71st Year on 11.05.2025 to 13.05.2025. Therefore the petitioner approached the respondents on 19.03.2025 for giving intimation about the temple festival, the respondents orally refused permission to conduct the temple festival by citing the reason that the above case is pending before the Hon'ble Supreme Court. Thereafter on 20.03.2025 and 21.03.2025 they



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submitted representation to the respondents but no reply received till date, therefore the petitioner has filed this petition.

3.The learned Additional Advocate General appearing for the respondents 1 and 2 would submit that the Manjolai estate area is reserved tiger forest and already the Government had announced schemes for the Manjolai estate employees and he same is filed before the Hon'ble Supreme Court and the same is pending in SCP(Civil) No. 999 of 2025 dated 24.03.2025 wherein some directions were given. Based on the direction necessary steps have been initiated for compliance of directions of the Hon'ble Supreme Court. As per the directions the Central Empowered Committee(ECE) also recommend to measures for restoration of the reserved forest, tiger habitats and elephant corridors and other wildlife reserves(sanctuaries) in and around the Agasthyamalai landscape including the above mentioned sanctuaries/reserves. For this purpose CEC may employ all scientific procedures including remote sensing satellite imagery, Geo mapping etc so that the process of survey can be expedited The concerned officials of the State Government including the District Administration , the police administration and the



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forest officials of each district involved shall be responsible for providing all required assistance and support to the CEC for completing the process survey. Till the years 2024 the BBTC estates workers in the estate and their relatives had been conducted festival and all the relatives participated in the temple festival and the construction of the temple is located in the BBTC leased area and presently under the Reserve Forest Area. But as per the present situation the Hon'ble Supreme Court and this Court issued various directions regarding to restore the forest area and monitoring the progress. Based on the same various forest restoration steps have been initiated and the same is under process. After closing the BBTC operation during 2024 the estate workers are moved after receipt of compensation from the company and also from the Government. For the year 2024 around 300 families are stayed in Manjolai and now it will short around 50 families. As per the RF notification there is no rights provided to admit the temple function . Now the Government have taken necessary steps for restoration of the Forest area and rehabilitation of the Estate people. Most of the public moved from the Manjolai estate and somehow adopted for their new rehabilitation. But some of them actively involved to create some



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sentimental emotion and approached this type of permission. More over the Hon'ble Supreme Court seized off the mater and therefore the petitioner can approach the Hon'ble Supreme Court for grant of appropriate permission, therefore the petition is liable to be dismissed.

4. The learned counsel appearing for the petitioner in reply submitted that the prayer sought for in A.John Kennedy ETC vs The State of Tamil Nadu and others etc., in SLP(Civil) Nos.999-1001 of 2025 dated 24.03.2025 are not connected with the prayer sought for in this petition. The prayer in that petitions are for better rehabilitation and adequate compensation to the employees and for regular visitation rights for the worship in Manjulai. Therefore the pending SLP before the Hon'ble Supreme Court will not affect this order in this petition.

5.Heard both sides and perused the materials available on record.

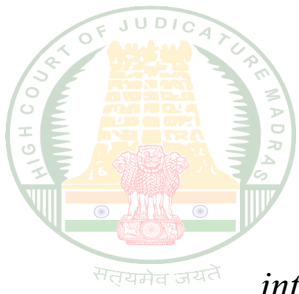


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6. The petitioner is the resident of Tirunelveli District seeking permission to conduct festival for the villagers in Manjolai. They decided to conduct cultural program using mike set and loud speakers, but the respondents have not passed any order and kept the representation of the petitioner pending. The villagers of Manjolai have not filed this petition for seeking above said prayer and the petitioner has filed this petition by stating that his forefather and parents were living in Manjolai now settled at Tirunelveli. The learned Additional Advocate General raised objection that already the matter has been seized of by the Hon'ble Supreme Court. Earlier in the month of May the Bombay Burma Trading Corporation engaged in tea cultivation in Manjolai Estate and festivals were conducted. After the Bombay Burma Trading Corporation vacated the premises the Government also announced welfare scheme for the residents of Manjolai estate employees and the same was challenged by employees in Manjolai Estate and the same is pending before the Hon'ble Supreme Court in SLP(Civil) Nos.999-1001 of 2025 and in the order dated 24.03.2025, the Hon'ble Supreme Court has observed as follows:

“ 27. In view of the submissions noted above and as an



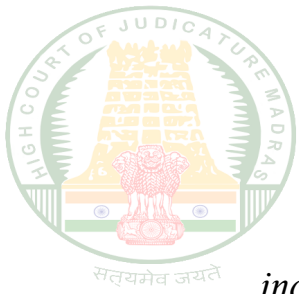
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interim measure, to initiate the process of restoration of the pristine forest areas and to protect the tiger habitats/wild life reserves/sanctuaries falling under the Agasthyamalai Landscape, we hereby direct the CEC to conduct an extensive survey of the entire Agasthyamalai landscape, which would include Periyar Tiger Reserve, Srivilliputhur Grizzled squirrel wildlife Sanctuary, Meghamalai and Thirunelveli wildlife sanctuaries. The CEC shall indicate in its report all instances on non-forestry activities going in these areas contrary to the statutory provisions viz., the Forest Conservation Act, 1980, the Wild Life(Protection Act) Act, 1972 etc.,

28. Comparative data pertaining to the forest cover as it existed earlier vis-a-vis the current position shall also be provided so as to gauge the extent of depletion/degradation in the forest area.

29. The CEC shall also recommend measures for restoration of (a) the reserved forest (b) tiger habitats and (c)elephant corridors and (d) other wild life reserves (Sanctuaries) in and around the Agathyamalai landscape,



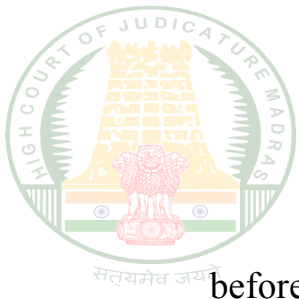
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including the above mentioned sanctuaries/reserves. For this purpose the CEC may employ al scientific procedures including Remote sensing satellite Imagery, Geo mapping etc., so that the process of survey can be expedited.

30. The concerned officials of the State Government including the District Administration, the Police Administration and the forest officials of each district involved shall be responsible for providing all required assistance and support to the CEC for completing the process of survey”.

7. One of the prayers in the above said pending SLP before the Hon'ble Supreme Court is that the petitioner due to presence of burial sites and places of worship in Manjolai for three to four generations now, need the Government to provide them with regular visitation rights which must be accompanied with an ID card to make the process smooth and without any hindrance from the forest/police officials. Now the prayer of the petitioner in this petition is to conduct festival for worship and for cultural program. Since the above said matter has been seized of by the Hon'ble Supreme Court and the specific prayer already sought for



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before the Hon'ble Supreme Court, it is not appropriate to pass orders by this Court. If at all the petitioner wants any order he shall approach the Hon'ble Supreme Court. Therefore the prayer of the petitioner cannot be considered and the petition has no merits and deserves to be dismissed.

8. Accordingly the Writ Petition stands dismissed. No costs.

24.04.2025

NCC : Yes / No

Index : Yes / No

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To

1. The Deputy Superintendent of Police
Ambasamudram, Tirunelveli District
2. The Inspector of Police
Kallidaikurichi, Tirunelveli District
3. The Deputy Director
Kalakkad Mundanthurai Tiger Sanctuary
Teacher's Colon Bramadesam
Ambasamudram, Tirunelveli District
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.DHANABAL, J.

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