



W.P.No.24748 of 2021

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2021

CORAM :

THE HON'BLE MR.M.DURAI SWAMY, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

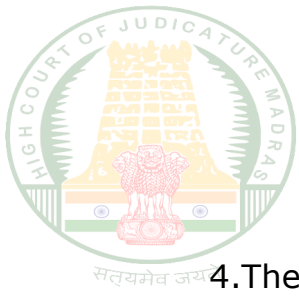
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D.Senthilkumar

.. Petitioner

VS.

- 1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Fort Saint George,
Chennai – 600 009.
- 2.The Home Secretary to
Government of Tamil Nadu,
Secretariat, Fort Saint George,
Chennai – 600 009.
- 3.The Director General of Police,
Government of Tamil Nadu,
Police Head Quarters,
Radhakrishnan Road,
Mylapore, Chennai – 600 004.



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4.The Commissioner,
Hindu Religious & Charitable Endowment Board,
No.119, Uttamar Gandhi Road,
Nungambakkam,
Chennai – 600 034.

5.The District Collector,
Collectorate,
Thiruvannamalai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st and 5th respondents to consider and dispose of petitioner's representation dated 6.11.2021.

For the Petitioner : Mr.V.Duraipandi

For the Respondents : Mr.R.Shunmugasundaram
Advocate General
assisted by
Mr.P.Muthukumar
State Government Pleader

ORDER

(Order of the Court was made by
the Hon'ble Acting Chief Justice)

The petitioner has filed the above writ petition as a Public
Interest Litigation to issue a Writ of Mandamus directing the



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respondents 1 to 5 to consider and dispose of the petitioner's representation dated 06.11.2021.

2. In the representation dated 06.11.2021, the petitioner seeks adequate protection to the participating devotees during Karthigai Deepam festival in Arulmigu Thiruvannamalai Arunachaleswarar Temple scheduled to be held on 19.11.2021 by deploying requisite Medical Staff, Fire Safety Department Staff, National Highways Department Staff, Electricity Board Staff, TWAD Board Staff and Forest Department Staff, apart from the Police personnel.

3. Mr.V.Duraipandi, learned counsel appearing for the petitioner, submitted that for the forthcoming Karthigai Deepam festival, the respondent authorities have resolved to issue entry-passes only to 3,000 devotees belonging to Tiruvannamalai District and 10,000 devotees belonging to other Districts and States. In all, maximum 13,000 entry-passes have been resolved to be issued.

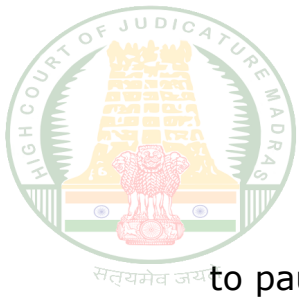


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4. Learned counsel further submitted that at least 20,000 devotees on each day should be permitted to circumambulate the holy hill (to go on Girivalam) on 19.11.2021 and 20.11.2021.

5. Mr.R.Shunmugasundaram, learned Advocate General, appearing for the respondents submitted that several meetings had been convened by the District Collector of Tiruvannamalai District with the officials of the various Departments and in the said meetings, it has been resolved to permit 13,000 devotees (10,000 devotees from other Districts and States, and 3,000 devotees from Tiruvannamalai District) for darshan per day from 07.11.2021 to 17.11.2021.

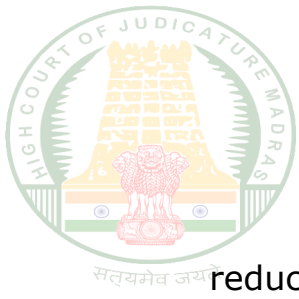
6. Further, the learned Advocate General has submitted that it has been decided in the meeting to allow 300 Kattalaidars and donors per day on 18.11.2021, 19.11.2021 and 20.11.2021 inside the temple. Learned Advocate General has also stated that if 20,000 devotees are allowed to go on Girivalam, it will not be possible to provide additional facilities to the visiting devotees due



to paucity of time.
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7. The fourth respondent, namely the Commissioner, Hindu Religious and Charitable Endowments Department, Chennai, has filed a counter-affidavit wherein it has been stated that if announcement is made to allow 20,000 devotees on each of those days, several lakh of devotees will throng to Tiruvannamalai presuming that they will get darshan on those days. It has also been stated in the counter-affidavit that it is not possible to check whether Covid-19 protocol has been strictly adhered to by the devotees which would lead to unabated spread of Covid.

8. In the representation dated 06.11.2021, the petitioner has stated that at present the State Government has permitted 100% functioning of all commercial establishments, transport services, tourist places, factories, educational institutions, cinema halls, apart from liquor shops, all throughout the State and, therefore, submits that when the Government has given permission for all other activities to go on, there is no basis for permitting only a



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reduced strength of 13,000 for darshan. He pleads that the respondent officials may impose necessary restrictions and permit 20,000 devotees per day to go on Girivalam during Karthigai Deepam festival at Tiruvannamalai on 19.11.2021 and 20.11.2021.

9. Since the respondents have resolved to permit 13,000 devotees per day from 07.11.2021 to 17.11.2021 and considering the substantial decrease in the Covid cases in Tamil Nadu, we are of the considered view that the respondent authorities can make necessary arrangements for granting permission to 20,000 devotees per day on 19.11.2021 and 20.11.2021 and the increase of 7,000 devotees per day on those two days shall not matter much for the State Government considering the vast extent of the holy hill and the sanctity attached to the temple festival/ritual.

10. Accordingly, we dispose of the writ petition imposing the following conditions while giving suitable directions to the respondents:

(i) The respondents are directed to permit 5,000



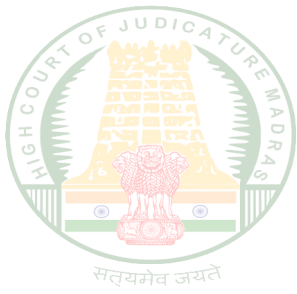
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devotees belonging to Tiruvannamalai District and 15,000 devotees belonging to other Districts and States. In all, 20,000 devotees per day should be permitted on 19.11.2021 and 20.11.2021 to circumambulate the holy hill (to go on Girivalam).

(ii) The devotees shall be allowed to book their slot on the virtual mode and entry shall be permitted only on production of such online ticket.

(iii) The devotees are directed to produce Covid-19 double vaccination certificate to the satisfaction of the District Administration of Tiruvannamalai District.

(iv) The authorities shall ensure that all devotees are subjected to temperature check at the entry point. The devotees should follow all Covid-19 protocols as per the guidelines issued by the State Government.



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- (v)The devotees shall not be permitted to climb the holy hill during the relevant period.
- (vi)The visitors/devotees must not stagnate the path of Girivalam and the authorities must make necessary arrangements to ensure smooth movement of the other devotees during the said period.
- (vii)300 Nos. of Kattalaidars per day shall be permitted inside the temple on 19.11.2021 and 20.11.2021.
- (viii)The respondent officials are directed to provide adequate medical facilities on the Girivalam path.
- (ix)The devotees shall not use banned plastic items while circumambulating the holy hill.
- (x)The District Administration shall provide adequate security arrangements during Karthigai Deepam festival days.



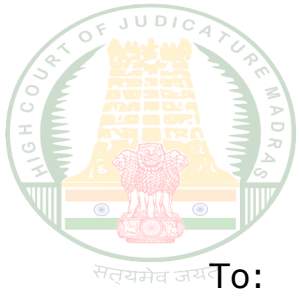
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- (xi) The District Administration shall also provide all necessary arrangements, including safe drinking water, modern toilet facilities, parking lots, etc., for the smooth conduct of the Karthigai Deepam festival.
- (xii) Facilities for hand washing shall be provided by temple administration at frequent intervals all along the path and queue.

11. With these observations, the writ petition is disposed of.
There will be no order as to costs.

(M.D., ACJ.) (J.S.N.P., J.)
18.11.2021

Index : Yes/No
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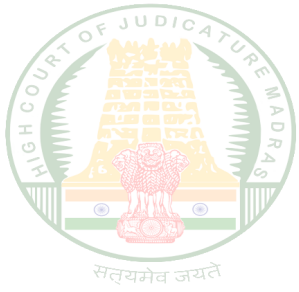


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To:

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