

APHC010135372023



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3209]

WEDNESDAY ,THE THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

IA 2 OF 2024

IN

WRIT PETITION No: 6812/2023

Between:

Dr. C.Ramakristanaiah and Others

...PETITIONER(S)

AND

The State of A.P. and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1.Mr.D.S.SIVADARSHAN

Counsel for the Respondent(S):

1.ADDL ADVOCATE GENERAL (AP)

2.GP FOR HOME

3.Mr.M.VIDYASAGAR

The Court made the following Order:

On the earlier occasion, this Court by taking into consideration the Memo filed on behalf of the respondents 5 to 9 passed an interim order dated 21.03.2023 and the relevant paragraphs of the order are as follows:

“During Ugadi festival, the devotees may apply vermilion on their own, but the Priest or others shall not perform any such act contrary to the contents in the Memo. The elders / members and Priest of the Lakshmi Narasimha Swamy Devasthanam shall strictly abide by the Memo filed before this Court.”

“Learned Assistant Government Pleader for Social Welfare and learned Assistant Government Pleader for Home are directed to send a copy of the Memo filed on behalf of respondent Nos.5 to 9 to the District Collector and the Superintendent of Police respectively so that they would take appropriate steps to oversee the situation and report to this Court on the next date of posting.”

2. Mr.Satya Siva Darshan, learned counsel for the petitioners referring to the specific averments in the affidavit submits that with a view to circumvent the said order, a method is devised during Ugadi last year (2023) and respondent Nos.5 to 9 applied vermilion on the others stating that they are their family members and that the devotees need help for applying the same. He further submits that the so called elders and respondents Nos.5 to 9 also devised an ingenious way that those who applied vermilion on their own would still be considered as Chinna Kulam and those who got applied vermilion by the Priests or so called elders would only be treated as Pedda Kulam. He submits that the respondent authorities remained as mute spectators during last Ugadi. He submits that in the said circumstances, unless the interim orders are modified, the discriminatory practices adopted would continue in one way or other, shall not be permitted and prays to allow the I.A.

3. Mr.Ponguleti Sudhakar Reddy, learned Additional Advocate General appearing on behalf of the State while deprecating the practice of branding some members of Womenfolk as Peddakulam by putting namalu(vermilion) and others as Chinakulam, affirmatively states that such practices in the

civilized society have to be condemned, shall not be allowed and failure on the part of the concerned authorities cannot be countenanced.

4. However, Mr.M.Vidya Sagar, who appeared through on line representing respondents 5 to 9 opposed the submissions made on behalf of the petitioners. He submits that putting of namalu during Ugadi is a practice going on for the last several decades and that in view of certain inter-se disputes the present writ petition has been filed by suppressing several facts. He submits that interference by the Courts in matters of this nature is not called for and urges for dismissal of the I.A.

5. This Court has considered the submissions made and perused the material on record. On appreciating the matter at length on 21.03.2023 and after taking into account the submissions made on behalf of the respondents 5 to 9, the order referred to above was passed. In term of the orders of this Court, the learned Additional Advocate General *vide* Memo dated 1.05.2023 filed Report dated 28.04.2023 and a reading of the same would go to show that the Priests have applied vermilion purportedly to their family members and relatives. In the said report, the District Collector had stated that one of the C.C.T.Vs., had not recorded the events inside the temple due to technical issue and as verified from the footage of Camera No.1 and Photos, the Priests applied namalu to other people. Thus, the fact remains that the interim order granted against the background of the discriminating practices during Ugadi festival was not implemented in true Letter and Spirit and respondents 5 to 9

and other elders devised a method to continue the namalu ceremony indirectly.

6. At this juncture, it may be appropriate to mention here that though the counsel for respondent No.5 tried to impress upon this Court that this ceremony is prevalent for the last several decades etc; no counter-affidavit denying any of the alleged discriminatory practices etc, so far, though time was granted for filing counters in the writ petition on 19.04.2023. Therefore, this Court is not inclined to appreciate the said submissions.

7. Considering the matter, this Court is thoroughly convinced that the Order dated 21.03.2023 needs to be modified as the practices adopted by the respondents Nos.5 to 9, elders / Priests by any dubious methods cannot be countenanced. Accordingly, the following order is passed; in modification to the order dated 21.03.2023:

“No one is permitted to apply vermilion to other devotees including their own family members or relatives and the order would be applicable to namalu ceremonies in all Ugadi festivals, until further orders.”

8. Further, the District Collector shall make adequate arrangements to install CC TVs to cover all the events inside and outside of the temple during the Ugadi festival every year and send reports to this Court till the disposal of the matter. The 4th respondent / The Superintendent of Police, Puttaparthi shall depute an Officer not below the rank of C.I. of police, who shall maintain Law and Order situation during Ugadi Festival and submit a separate report to this Court till the disposal of the writ petition.

7. Accordingly, the I.A., is allowed.

Date: 03.04.2024

Note: Furnish C.C. in one day

B/o.

BLV

NINALA JAYASURYA, J

THE HON'BLE SRI JUSTICE NINALA JAYASURYA

I.A.No.2 of 2024 in WRIT PETITION No.6812 of 2023

Date: 03.04.2024

BLV