



W.P.No.28257 of 2022

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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

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

The present writ petition is filed seeking directions against the second respondent to fix the carrying capacity for the fifth respondent temple situated in the Sathyamangalam Tiger Reserve. The petition further seeks directions to restrain the second respondent from allowing devotees more than the carrying capacity of the fifth respondent temple in the said Tiger Reserve.

2. Mr.SP.Chockalingam, learned counsel for the petitioner, submits that as per the guidelines the carrying capacity is fixed. According to the petitioner, the carrying capacity would be of 29 vehicles. The Sathyamangalam Tiger Reserve is a protected Tiger Reserve. The temple is in the core area of the Tiger Reserve Forest. During the temple festival, large number of persons gather against the norms and guidelines. The same is not regulated by respondents 2 and 3. Though the second respondent has stated



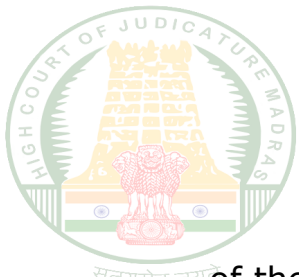
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that the carrying capacity is of 76 vehicles, large number of devotees (up to 50000) gather during the festival time and all sorts of pollution is made. The food is prepared at the site. Devotees stay at the night. The liquor bottles are also carried. The firewood is also damaged. Respondents 2 and 3 are not taking appropriate steps to protect the Tiger Reserve Forest.

3. Mr.G.Karthikeyan, learned counsel appearing for the fifth respondent, submits that though the fifth respondent in the affidavit has mentioned that 50000 pilgrims attend during the festival time, only about 5000 to 7000 pilgrims attend. All pilgrims do not stay at the night time. The said temple is in existence since centuries. The Sathyamangalam Tiger Reserve is declared subsequently. The volunteers of the fifth respondent temple take all the precautions to keep the premises clean. No such activity is permitted that would endanger the Tiger Reserve Forest or the species in the Tiger Reserve Forest.

4. The second respondent has filed an affidavit on 16.11.2022. It states that various steps are taken to regulate the festival activity



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of the fifth respondent temple. The same reads thus:
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"10. With respect to para 17, 18 and 19, it is respectfully submitted that every steps have been take by the forest department in order to regulate the festival so that there will be lease disturbance to the wildlife in the Tiger Reserve. A peace committee meeting will be conducted by the management committee along with line department officials of the Hindu Religious and Charitable Endowments, Police, Revenue and Forest departments before 15 days of festival time every year. In this discussion, the following various resolutions with the conditions are discussed and passed in order to regulate the festival activities.

- i. The devotees are advised not to carry any intoxicating substance.*
- ii. To conduct the festival in such a way that the forest and wild animals are not harmed.*
- iii. Vehicles should be parked only in permitted areas.*
- iv. Flammable items and plastic items should not be carried inside the Forest.*
- v. Moyar river and nearby area is prohibited for devotees as a safety precaution.*
- vi. 109 ambulance service, medical facility, drinking water facility and electricity facility*



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should be provided by Hindu Religious and Charities (sic. Charitable) Department.

vii.Devotees should not bring strangers with their families.

viii.Devotees must act responsibly in accordance with precautionary measures envisaged in the Tamil Nadu Forest Act 1882 and Wildlife Protection Act 1972.

ix. According to the number of devotees, mobile toilet vehicles should be arranged by the Management committee.

11. It is submitted that after the discussion with other departments, the details of discussion along with the resolution and conditions will be sent to the Chief Conservator of Forests and Field Director, Sathyamangalam Tiger Reserve, Erode to obtain an order for this temple festival. The Chief Conservator of Forests and Field Director, Sathyamangalam Tiger Reserve, Erode grants permission to conduct the Karuvannarayar Temple Festival as per the conditions mentioned in the letter of the Deputy Director, Sathyamangalam Forest Division, Sathyamangalam Tiger Reserve and follow the norms and regulations in the Tiger Conservation Plan and as per the existing guidelines as follows.



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- i. Devotees are allowed to stay in the temple premises only on the night of the festival. And only the temple administrators will be allowed to stay in the temple premises.*
- ii. The monitoring committee will ensure that all the devotees to the temple must leave the forest area before 5.00 pm and cross the Karachikorai check post on the last day of the festival. A maximum of 100 vehicles per day only should be inspected at the check post and allowed for the festival. Vehicles should be allowed inside the temple only after filling the prescribed form in the Check post to ensure discipline.*
- iii. For the security of that area / Night patrolling of the temple, at least 20 people would be arranged with all the Forest Range Office staffs in advance and also the team would get the list and contact numbers of those people to ensure th security around the temple area.*
- iv. A certain area of land (approximately 20x20 feet) would be marked in the temple premises for goat sacrifice. And the goat should be sacrificed and cleaned within that boundary only. Steps should also be taken to cover the goat sacrificed blood inside the pit.*



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- v. *Only Pre-cooked food will be supplied without dependence on temple premises and forest areas. And under inevitable circumstances cooking is allowed only within a limited area. However, firewood collection would not be allowed in reserve forest area under any circumstances.*
- vi. *To check the women devotees, arrangements will be made by women police and women forest department staffs during the temple festival.*
- vii. *It should be ensured that the participants of the festival do not engage in any activities like burning firewood, dumping garbage, staying inside the forest, and polluting the Moyar river water.*
- viii. *Separate toilet facilities for men and women would be provided at two places in the temple area for the use of all the people who can stay there. During the festival time, no one would be allowed to defecate in the open.*
- ix. *Since the Temple is situated in the core area of the Sathyamangalam Tiger Reserve, the Moyar river water should not be used for any purpose like drinking, bathing and cooking etc. Direct use of river water should be strictly avoided for*



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any reason. The temple management would be advised to arrange water supply through tanker trucks.

- x. The Temple Management Committee shall be responsible for any damage caused to the forest area and wildlife by the visitors to the temple. And the Plastic items, plastic bags are not allowed to be carried inside the forest by frisking the devotees at the Forest check post.*
- xi. The Forest Range Officer should appoint two persons as special supervisors to monitor the devotees coming and going to the festival and report to the Deputy Director, Sathyamangalam Forest Division, Sathyamangalam Tiger Reserve if there is any breach of conditions."*

5. The steps that are proposed to be taken by respondents 2 and 3 should be implemented during the ensuing festival. We are informed that the said festival is now scheduled in the month of February, 2024. We hope and trust that all the steps that are detailed in paragraphs 10 and 11 of the affidavit of the second respondent, reproduced supra, would be adhered to and followed by the authorities and the temple.



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6. We place the matter on 15.3.2024. A status report shall be filed by respondents 2 and 3 on the said date.

(S.V.G., C.J.)

(D.B.C., J.)

02.01.2024

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